

Bharti Chaudan  
Allobad

THE GOVERNMENT OF INDIA.

A. S. S. S.  
in writing.



KING EDWARD VII, EMPEROR OF INDIA.



THE  
GOVERNMENT OF INDIA

AN OUTLINE OF THE SYSTEM OF BRITISH  
ADMINISTRATION IN INDIA

COMPILED BY

SYAM SUNDAR DAS, B.A.

ASSISTANT HEAD MASTER, CENTRAL HINDU COLLEGIATE SCHOOL, BENARES

Allahabad

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## ERRATA.

<i>Page.</i>	<i>Line.</i>	<i>Read.</i>	<i>For.</i>
Preface.	18—19	This has been	This has
5	15	the beginning of the rise of	the rise of
23	28	Secretary of State for India	Secretray of State from India
36	29	remain mostly at head- quarters	remain at head- quarters
37	4	in Bombay	in Bengal
38	3	ruler	Chief Commissioner
58	5	Foreign Office	Colonial Office
72	9	Rs. 50	Rs. 100
74	22	Rs. 5,000	Rs. 1,000
101	18—19	has to undergo in most provinces	has to undergo
126	26—27	five-sixths	one-sixth
127	27	Re. 1.	Re. 1-8.

N. B.—The Military Supply Department is to be abolished from April 1st, 1900 and certain proposals to enlarge the Legislative and Executive Councils are under consideration.

14-2-09.

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*Mansoor Trahyan*  
*580 Thompson*  
*Bellahabad*

THE  
GOVERNMENT OF INDIA  
AN OUTLINE OF THE SYSTEM OF BRITISH  
ADMINISTRATION IN INDIA.

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CHAPTER I.  
INTRODUCTORY.

1. In order to understand the nature of the British system of Government in India, as carried on at the present day, it will be necessary and at the same time interesting to examine briefly the administrations which preceded it and the growth of the British administration from the time of the East India Company.

2. There is unfortunately no material available for the preparation of anything approaching even a bare description of the system of administration of the Aryan settlers on the banks of the Indus in the Vedic times or of the successive stages of development through which it passed during the rule of the different Hindu kingdoms from the time of their rise to the period ending with their decline. We have, however, the code

of Manu, said to have been composed between the second century B. C. and the second century A. D., and it portrays fairly clearly the state of Indian society about this time. Added to this, the accounts given by ambassadors to the court of Chandragupta, who founded the Maurayan Dynasty in 315 B. C., a few decades before the period assigned to Manu, and by other Greek writers of the period, throw interesting light upon the manners and customs of the time, and it is, therefore, possible to give a rough sketch of Indian society at this stage.

### 3. According to Manu the system of Government

**The Hindu  
system of Gov-  
ernment.**

was absolute monarchy. The main duty of the king was to restrain violence and to punish the evil-doers, and his daily routine provided for both public and private duties. The former consisted in holding public audiences, consulting his ministers, reviewing his troops and interviewing his emissaries, while the latter embodied the performance of religious duties, the general care of his person, the management of his family affairs, and his amusements. In the administration of his kingdom he was assisted by seven councillors and one learned Brahmin. He had revenue collectors, a minister for foreign affairs, and a large number of civil officers rising from heads of single towns or villages to rulers of a thousand villages. These villages enjoyed a large measure of local autonomy and to Megasthenes they appeared to be so many independent republics. Every large town had a superintendent whose duty it was to check the abuses of the local officers. Megasthenes

mentions that India was then divided into 118 kingdoms, which were presumably at war with one another, for Manu devotes a considerable portion of his code to maxims and instructions regarding military organisation, foreign politics and the laws of war and conquest—laws remarkable for their humanity. For purposes of defence the whole country was divided into military divisions, each maintaining a body of troops under an approved leader. The revenue consisted of a share of the land produce, taxes on commerce, a small annual tax on traders and shop-keepers and one-day's forced labour for the State every month by artisans and labourers. This was, in short, the model of a Hindu kingdom as presented by Manu, but its actual condition depended, of course, largely on the character and ability of the King himself, though, according to Greek and Chinese writers and travellers, the people were on the whole contented and well governed.

4. In course of time the Hindu kingdoms of India

The Moham-  
medan system  
of Government

suffered terribly from the inroads of the Mohammedan invaders from the north-west who subsequently supplanted them. The greatest and last of the Mohammedan families which founded a kingdom in India was the Moghul dynasty. The greatest monarch of this family was Akbar, the Great, a contemporary of Queen Elizabeth of England. He maintained the most magnificent court, and the keynote of his administration was religious toleration and a conciliatory policy towards the Hindus. He reorganised the whole system

of Government on a sound and solid basis, and had it not been for the complete change of policy subsequently inaugurated by Aurangzeb the Moghul rule in India would not in all probability have come to so speedy an end. Akbar's empire extended from Kandahar in the west to Bengal in the east, from the Himalayas in the north to the Deccan in the south. He divided it into fifteen *subas* or provinces, to each of which was appointed a *Subedar*, or Governor, with supreme civil and military authority. The whole system of revenue administration was remodelled under the supervision and direction of Raja Todarmal, the great financial minister of Akbar. The land was measured, the produce of each acre of land thus surveyed was determined, and the share due to Government was fixed at one-third of the gross produce. In addition, the rate at which payment in cash might be substituted for payment in kind was carefully settled. In the beginning these settlements took place every year but later on in order to protect the peasantry from extortion and needless vexation they were repeated and revised every tenth year. The land revenue thus fixed was realized with strictness. The principal local officer in charge of the collection of the land revenue was known by the name of *Amalguzar* and his duties were similar on a small scale to those of the present-day Magistrate and Collector of the British districts. The *Amalguzar* combined in himself the duties of a magistrate, a police officer, as well as of a revenue collector, and had to concern himself with all matters

relating to the well-being of the peasantry. Every large town was in the charge of a magistrate, called the *Kotwal*, who was the head of the police and supervised all branches of local administration. Outside the town there was no regular police force, but the villages had their hereditary watchmen. Apart from the magistrate, justice was administered by a court composed of an officer named the *Miradal* and a *Kazi* who was learned in Mohammedan law. The *Kazi* conducted the trial, and stated the law, while the *Miradal* passed judgment. It was on these lines that the Government of India was carried on by the Moghuls.

5. Akbar's wise and conciliatory policy, as has already been stated, was upset by the bigotry of Aurangzeb, and the latter's reign witnessed the rise of the Sikh power. At his death in 1707 the Moghul empire fell into disorder and decay, and, after a period of general strife, was replaced by the empire of the British.

6. The history of British India falls into three periods. From the beginning of the seventeenth to the middle of the eighteenth century the East India Company was a trading corporation, existing at the will of the Indian princes and competing with the rival companies of Holland and France. From the middle of the eighteenth century for a little more than a hundred years the East India Company acquired and consolidated its dominions and transformed itself gradually from a trading company into a ruling power. After the Mutiny of 1857 the maladministration of the

Periods of the  
History of Bri-  
tish India.



Company, in spite of the checks put upon it by the British Parliament from time to time, caused the transference of the entire and supreme control of India from the Company to the British Crown.

7. In September, 1599, the merchants of London resolved to form an association for the purpose of establishing trade with the East. On the 31st December, 1600

**Growth of the  
East India Com-  
pany.**

Queen Elizabeth granted a charter to 216 persons under the title of the East India Company and conferred on them the monopoly of the trade with all countries lying between the Cape of Good Hope and the Straits of Magellan. For nearly 150 years the Company concerned itself chiefly with trade. One place after another was acquired for settlements or factories. It was thus that the towns of Madras, Bombay and Calcutta rose into prominence and are to this day the three chief presidency towns of India. Madras was rented from a local Raja in 1639. Bombay was given by Portugal to the British Crown in 1661 and in 1668 it was granted to the East India Company. In 1686 the town of Calcutta was founded by John Charnocks. As these towns were the chief centres of the Company's transactions they soon rose in importance and population. At about this time a new company was formed in England for the same purpose and the old company had to struggle hard for its rights and privileges. At last in 1702 the two companies were amalgamated and their status was regulated by Acts of Parliament. Receiving thus a new lease of life the amalgamated company went on quietly with its

trading concerns for about fifty years, when it began to take part in the political affairs of India. For about a hundred years there was constant struggle between the different contending parties for supremacy of power. The Moghul power was falling into decay and the Marathas were fast rising in power and influence. The East India Company, finding itself unprotected by the Indian princes, took measures to protect itself, and rivalry with France forced it to interfere in political affairs. The history of this period is the history of constant war with varying fortunes to the contending parties. At last the Company came out victorious and entered upon a policy of extension and amalgamation of territories and increase of power and influence, with short periods of relaxation and inactivity. This went on till the Sepoy Mutiny of 1857 when, as already stated, the Empire was transferred from the Company to the British Crown.

8. During the period of the Company's rule several Acts were passed by the British Administration. **The Company's Administration.** Parliament to check the abuses which **—Checks by Parliament.** had from time to time crept into its administration. In 1773 the Regulating Act of Lord North provided for the administration of the presidency of Fort William by a Governor-General and four councillors and declared their supremacy over the Governors of Bombay and Madras. Pitt's Act of 1784 established a Board of Control in England, vested the administration of each of the three presidencies in a Governor and three councillors including the Commander-in-Chief

of the presidency army, and at the same time reaffirmed and extended the control of the Governor-General in Council over the Governors of Bombay and Madras. In 1813 the new Charter Act withdrew the monopoly of trade which the East India Company had so long enjoyed, except with regard to tea and the trade with China. In 1833 the Company was directed to close its commercial business and from this time it was transformed from a trading corporation into a purely political and administrative body. This continued for twenty-three years, when the whole empire passed to the Crown by Act of Parliament, and the Governor-General became known as the Viceroy. Since then the machinery of the British Government has from time to time undergone minor changes, which it is unnecessary to describe here.

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## CHAPTER II.

### THE GOVERNMENT OF INDIA.

1. The whole of the Indian Empire may roughly be divided into two parts—(i) British India and (ii) Native States. British India is directly under the control of the Governor-General, while the Native States are administered by the Indian Princes, who follow the advice of the British Government in certain matters and whose powers are restricted according to their treaties or *sanads* with the British Government. British India is 9,76,000 square miles in extent and has a population of 2,36,000,000 souls, while there are some 700 Native States in the whole of India, covering an area of 824,000 square miles and having a population of 68,000,000 souls.

2. The whole of British India is divided into eight provinces, over each of which is an officer, who has entire charge of his province and who manages its affairs under certain restrictions imposed by the Imperial Government. All these provinces form part of one Empire and it is, therefore, absolutely necessary that their affairs should be so managed as to leave no

**The Indian  
Empire:—Its  
two Parts.**

**Necessity for  
a Central Co-  
government.**

cause for disputes over conflicting interests. In ancient times India was divided into a number of independent kingdoms and there was no central authority to control them and to adjust their differences whenever they arose. The result of this was that they were constantly at war with one another and the peace of the country was continually being disturbed and its progress retarded. It is not to be wondered at, therefore, that these principalities endured but for a relatively short period. The same might happen now if the different provincial administrators of the several British provinces were left entirely to themselves. In order to avoid this possible danger a central authority has been constituted, which controls all the provincial rulers. The following are the three chief arguments in favour of this central authority :—

(i) It adjusts differences between the several local governments and administrations. Differences in situation, in resources, in physical conditions and other circumstances may give one province undue advantage over another. It is, therefore, necessary that a central authority should take all these points into consideration and adjust the differences in such a way that not only each of the provinces may enjoy equal advantages with due consideration for their needs and provision for their progress but that the Empire as a whole may be benefited. It is true, of course, that this system may sometimes have the effect of retarding the progress of one province in order that some other province—less developed—may receive additional help, but it is better

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that progress should as far as possible be evenly distributed over the whole rather than that one part should be too far in advance of the rest. The strength of the whole is the strength of its weakest part.

(ii) Although for purposes of administration the whole of British India is divided into a number of provinces, yet with a view to dealing with foreign powers, especially with those situated on the borders of the Empire, such as Afghanistan, Persia, China and Siam, it is important that the whole Empire should be represented and not the different provincial governments, or especially those situated on the borders of the Empire. If the different local Governments were left to manage their affairs in relation to foreign powers, they might enter into treaties advantageous to themselves but ruinous to the other portions of the Empire, the unity of which would under these conditions soon cease. For these reasons a central authority is essential to represent the whole of India in its external relations.

(iii) With a view to ensure that in all matters of internal administration a uniform policy is carried on, it is important that there should be some central authority to enforce its general line of action on all the local governments and to see that nothing prejudicial is done to the general interests of the Empire by any of them. Heads of local governments and administrations are more apt to be biased in the interests of their particular charge than those who have nothing to do with direct administration. The central



authority is, therefore, likely to take a broad view of all questions and to decide them without prejudice or partiality.

3. It will thus be seen how necessary it is that there should be a vigilant and strong authority exercising supreme control. Such an authority in the system of the British administration of the Indian Empire is the Government of India. The Head of this Government is the Viceroy or Governor-General of India, who is generally an English nobleman, appointed for a period of five years and receiving a salary of two and a half lacs of rupees per year. He cannot leave Indian territory without resigning his post. He has two different councils to help him in the administration of his charge—one the Executive Council, which consists of six ordinary members besides himself, and excluding the Commander-in-Chief, who is an extraordinary member of the council, the other the Legislative Council which is composed of the Executive Council together with representatives of the people of India and such other persons as the Governor-General may deem fit to appoint for particular and special reasons. As to the representatives of the people, some are elected by the people themselves and some are nominated by the Government. The question of enlarging the Imperial as well as Provincial Legislative Councils is engaging the attention of the Government of India and it is expected that before long a definite scheme will be formulated and brought into operation.

4. The Government of India is divided into the following departments :—Foreign, Departments of the Government of India. Home, Revenue and Agriculture, Finance, Commerce and Industry, Legislative, Public Works, Army, and Military Supply.

5. The following statement will show the distribution of these departments under the different members of the Executive Council :—

Governor-General	...	Foreign Department.
Commander-in-Chief	...	Army Department.
Home member	...	Home Department.
Public Works member	...	Revenue and Agriculture, and Public Works Departments.
Finance member	...	Finance Department.
Commercial member	...	Commerce and Industry De- partment.
Legal member	...	Legislative Department.
Military Supply member	...	Military Supply Department.

6. All these members, who are appointed by the Secretary of State with the approbation of the Crown, form the Executive Council. Each department is in charge of a member except the Public Works and Revenue and Agricultural Departments which are together managed by the Public Works member, and each has a Secretary at its head and a staff consisting of a Deputy Secretary, an Under-Secretary, an Assistant Secretary and clerks.

7. Under the rules in force, the business regarding its Rules of a particular department is prepared Business. by that department and submitted to

the member in charge for orders. In ordinary cases the member in charge is the controlling authority, but when two or more departments differ in opinion or a local government is over-ruled, the matter is referred to the Governor-General, who passes orders or forwards the papers to the whole Council for disposal. Questions of policy or legislation are decided by the Council, which ordinarily meets once a week, but a special meeting may be called at any time. The decisions of the Council are termed "Orders-in-Council" and the Secretary of the department to which a case before the Council refers attends during its discussion and records the order. In the event of difference of opinion the vote of the majority prevails and the Governor-General possesses the right to veto any decision of the Council.

8. We will now take up the departments in order and explain the working of each.

**The Foreign Department.** 9. The Governor-General is in direct charge of the Foreign department, which deals with all matters connected with foreign countries, frontier tribes and Native States. It also controls the general administration of Ajmer-Merwara, the North-West Frontier Province and British Baluchistan. The most important external relations are connected with the North-West Frontier, Afghanistan, Persia, Southern Arabia, China and Siam. The area of Native States varies in size and population and the authority which each State possesses depends upon its history and importance. Some possess full powers to coin

money, impose taxes and inflict and administers the without any appeal, while others enent deals with the of power. All matters concerning the Another branch, by a particular prince are regulated by ti the accounts and usage. In early days the most impo yernments. Native States were rivals or allies of the ea, auditor-Company and made treaties on terms of equality ants-when on January 1st, 1877, Queen Victoria was pnd claimed Empress of India, the different Indian Princes accepted the British Government as Suzerain Power. The Government of India is now represented in each of the mor rtant States by "Residents."

10. In regard to Ajmer-Merwara, the North-West Frontier Province and British Baluchistan, the Foreign department exercises general control. It also deals with questions relating to the Imperial Service troops, the Imperial Cadet Corps, the Chiefs' Colleges and the conferring of distinctions and titles on those who have rendered distinguished services to the Government and to the country.

11. The Home department is in charge of the Home member who is a senior member of the The Home De- partment. Indian Civil Service. This department deals with internal politics, law and justice, jails, police, education, hospitals, public health, municipal and local boards, ecclesiastical matters and the administration of special Acts. In fact, all matters relating to the internal administration of India fall within its sphere. It exercises control over the local Governments in their administration of the different branches of the usual

with such other persons as additional members, whom the Governor-General may think fit to appoint for special reasons. The non-official members hold office for two years. In provinces in which there are Legislative Councils whose members have powers of interpellation, the non-official members elect a representative for the Imperial Legislative Council, while in the case of other provinces the Governor-General himself appoints representative gentlemen on his Council. Members enjoy the title of "Honourable" during their tenure of office and possess the right of interpellation, but they cannot divide the Council on any other subject except the bills before the Council, to which they are privileged to propose amendments and additions. Generally, all bills for legislation are brought up for consideration by an official member, but a non-official member may also submit bills with the permission of the Governor-General, who is the *ex-officio* President of the Council. The meetings of the Council are held once a week in Calcutta from December to March, but the frequency of meeting depends more on the state of business before the Council than on any definite rule. The following is the procedure in the consideration of a bill. The member in charge introduces it and explains its objects and requests that they be published for general information. At the same time, or afterwards, according to the urgency of the measure, a select committee is appointed to revise the bill and to submit it within a specified time. At the time of the reference of the bill to the select committee members

may discuss its general principles or propose its immediate rejection but cannot enter into detail. When the report of the committee is taken up for consideration by the Council, amendments may be proposed and the Council divided thereon. After the bill has been passed by the Council it receives the assent of the Governor-General and then becomes a law. The Governor-General possesses the right to veto any act passed by the Council, while in cases of emergency the ordinary rules of business are suspended and a law may be passed in one sitting of the Council.

17. The Public Works department is in charge of the member who has control of the Agriculture and Revenue department. Such questions as irrigation, buildings, roads, &c., are within its jurisdiction. The Engineering staff, which is divided into Imperial and Provincial grades, is under this department. It has a separate Accounts branch, which audits and compiles the entire Public Works expenditure.

18. The supreme head of the army in India is the Governor-General and the chief Executive Officer is the Commander-in-Chief, who is in charge of the Army department, which deals with all matters relating to cantonments, volunteers and all army business except that in charge of the Military Supply department. The chief officers are the Adjutant-General, the Quarter-Master-General and the principal medical officers of the army.



19. The Military Supply department is in charge of a member who is a military officer of importance. He has to procure and keep custody of stores, dispose of matters relating to ordnance and remounts, and administer the Indian Medical Service, the Royal Indian Marine and the Marine Survey departments.

The Military  
Supply Department.

20. This brief survey of the different departments of the Government of India will show that the functions of the central authority are two-fold. In certain matters it takes independent and direct action and in others it controls, supervises and harmonises the work of the local Governments. Under the former comes all business concerning foreign relations, army, legislation, taxation, currency and debt, post office, telegraph, railways, emigration and mines, &c., while under the latter it hears and decides all appeals against the local Governments and directs their actions in view of the general policy laid down by the Government of India. In certain minor matters of provincial administration the local Governments are authorized to take independent action, while in certain others the sanction of the Imperial Government is necessary.

Two-fold  
Functions of the  
Central Government.

21. The head-quarters of the Government of India are in Calcutta from November to March and at Simla from April to October. The Governor-General makes a tour both while going to Simla and when returning to Calcutta. The latter generally lasts from two to three

Head-Quarters  
of the Central  
Government.

months. Tours are undertaken in the interests of the Empire so that the Viceroy may see for himself how the government is carried on in the different parts of the country and may make the acquaintance of the leading princes, noblemen and citizens.

22. We have seen that in the time of the East

The Secretary  
of State in place  
of Board of  
Control.<sup>Council</sup>

India Company there was a Board of Control in England, which supervised the affairs of the Company and controlled its officers.

When the Government of India passed into the hands of the Crown in 1858 the position so long occupied by the Board of Directors in England was taken by the Secretary of State for India and his council. In order to explain the position of this very important officer it will be well to give a short outline of the system of government prevailing in Great Britain.

23. The system of government in the United King-

System of  
Government in  
Great Britain:  
(a) the House of  
Commons.

dom of Great Britain and Ireland is parliamentary. The nation elects its representatives, who sit in the House of Commons and transact its affairs.

The life of a parliament is generally seven years but sometimes when the Government in power finds that it has not a clear majority in the House of Commons, it resigns and a new parliament is elected. The Sovereign of England may also call a new parliament on his ascending the throne. The nation is divided into different schools of politics. The two most important schools are the Liberals and the Conservatives or Unionists, extreme

sections of both being known respectively as Radical and Tory. A third party, namely, the Labour Party, has been in existence for some time and is likely in the near future to assume a prominent position in the politics of the United Kingdom. Each member of the House of Commons belongs to one of these parties, and each party has its leader and separate organization. When a new parliament is elected, each party tries its best to secure the majority of seats for members of its own following and the leader of the party which has a clear majority over the other party in the House of Commons is called upon by the Sovereign to form a Government. This leader—called the Prime Minister—then selects his colleagues and entrusts the different departments to them. From amongst these colleagues the Cabinet or Executive Council is formed, and the Secretary of State for India is one of them and is responsible to the parliament with the other members of the Cabinet for his actions.

24. The parliament has a second or Upper House in which all hereditary noblemen and other lords sit. No legislation approved by the House of Commons, except financial, can be enforced without the concurrence of both houses of parliament and the assent of the Sovereign. The Secretary of State for India like other ministers may belong to either house and his position as a minister continues so long as his government is in power. He falls with the fall of his party and another person belonging to the party next in power takes his place. He has two Under-Secretaries, one the parliamentary

Under-Secretary and the other the permanent Under-Secretary. The latter has no connection with party politics, he is a permanent member of the Secretary of State's staff; while the former belongs to the party in power and his tenure of office lasts so long as the Government lasts, unless for certain reasons he is transferred from one department to another or resigns his post. It is generally arranged that if the Secretary of State belongs to one house, the Under-Secretary shall belong to the other, so that the Government of India may always be represented in both houses of parliament.

25. The Secretary of State for India is the constitutional adviser of the Crown in all matters relating to India and has a council to advise him, called the India Council. He has the power of giving orders to every officer in India including the Governor-General and these orders must be carried out. Every law passed in India must be submitted to him and he may advise the Sovereign to reject any or all of them. He may dismiss any Government servant in India and has the privilege of nominating, for the approval of the Sovereign, the Governor-General of India, the Governors of Bombay and Madras, the members of their Executive Councils, the judges of the High Courts and other high officers, in consultation with the other members of the Cabinet. He also controls the expenditure of the Government of India. The communications of the Secretary of State from India to the Governor-General, and *vice versa*, generally fall under three heads, *viz.*, ordinary, urgent and secret. All

ordinary correspondence, whether to or from India, must be brought to the notice of the members of his council. Secret correspondence, which generally refers to war or peace negotiations with foreign powers and relations with the Native States, may be withheld altogether from the knowledge of members. The Secretary of State can also send urgent communications to the Government of India on his own responsibility, but in all such cases he must record his reasons for so doing. No matter what the subject-matter of a communication is he may treat it as secret or urgent and no one can question his right so to do. In all cases in which the concurrence of his colleagues of the Council is not insisted on by Acts of Parliament he may follow his own discretion without any regard to the views of his councillors, but in cases where the concurrence of his councillors is required by Parliamentary Acts, he must abide by the advice of the majority of his Council. The most important business falling under the latter head is the making of any grant or the appropriation of the revenues of India for expenditure in India or elsewhere.

26. The Council of the Secretary of State consists of not less than ten and not more than fourteen members, holding office for seven years. Of these not less than nine members must be persons who have served or resided in India for at least ten years, and who have left India not more than five years before their appointment to the Council. The <sup>The India</sup> Council. of each member of the Council is £1,000 or Rs. 15,000 a year. All these details were revised and settled by the

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Council of India Act, 1907. Those persons who were members of the Council before the passing of the new Act will hold office for ten years and will receive a salary of £1,200 a year.

27. The function of the India Council is to conduct, under the direction of the Secretary of State, the business transacted in the United Kingdom in relation to the Government of India and the correspondence with that country. The Council meets once a week and five members constitute a quorum. The Secretary of State is the President of the Council with power to vote and to give a casting vote. He may appoint a Vice-President to exercise his powers in his absence, but all acts done in his absence require his sanction in writing. With the exception of such correspondence as is neither urgent nor secret all orders relating to India, which it is proposed to make, must be submitted in writing to the Council or placed on the Council table for at least a week, before being issued. Similarly, all such communications from the Government of India are accorded the same treatment. Generally, the Council is divided into a number of committees in order that the business may be transacted efficiently and conveniently. At present there are seven committees, dealing with the following questions:—Finance, Political, Military, Revenue and Statistics, Judicial and Public, Public Works and Stores. This is not a permanent arrangement and is not regulated by law. The Secretary of State can increase or decrease the number of committees or abolish them altogether.



28. It has been stated that the Secretary of State has two Under-Secretaries, one parliamentary and the other permanent. He has also an Assistant Under-Secretary, who is also the clerk of the Council. In addition to these there is a Secretary, an Assistant Secretary and a staff of clerks for each of the departments corresponding to the several committees, with the exception of the Stores Department, which has a Director-General at its head. In addition to these there are the following officers:—the Accountant-General, the Registrar and Superintendent of Records, the Director of Funds, the Medical Board for the examination of officers of the Indian Service, the Legal Adviser and Solicitor, the Librarian, and the Auditor. The last-named officer is nominated by the Chancellor of the Exchequer. The salaries of the officers and staff of the India Office, by which name the officers of the Secretary of State for India are designated, were fixed by an order-in-council and laid before parliament, and no change therein can be made without observing the same procedure. All the expenses of the India Office are charged to the revenues of India.

29. As in certain matters the Secretary of State cannot take independent action without consulting his Council, similarly in certain other respects he has to secure the sanction of parliament before taking action. The entire constitution of the Government of India is regulated by Acts of Parliament. The Secretary of State has to submit every year detailed accounts of receipts and

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disbursements in India and England to parliament, together with the report of the auditor, and an annual statement as to the material and moral progress of the country. Although the revenues of India are not controlled by parliament, yet they cannot be applied to defray the expenses of military operations beyond the frontier without the consent of parliament, except for preventing or repelling actual invasion or under other sudden and urgent necessity. Over and above this any action taken by the Secretary of State may be challenged in parliament by any member and the decisions of parliament are in all matters supreme.

30. It will thus be seen that the whole administration of the Government in India is

**Conclusion.** directed and supervised by the Governor-General, who in his turn is controlled by the Secretary of State, whose responsibility is shared by the Cabinet, and, as we have already stated, the Cabinet is responsible to the British Parliament for its actions.

31. Thus the parliament, which consists of the representatives of the people of Great Britain and Ireland, is the supreme and final authority in regard to the administration of India, as it is over all other dominions of the vast British Empire.

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## CHAPTER III.

### THE PROVINCIAL GOVERNMENTS.

1. In the last chapter we presented a general view of the Government of India and saw how it controls the entire administration of the country through its various departments. We also learnt that the supreme Government had nothing to do with the direct administration of any part of the country, its functions being limited to supervision, control and direction. It decides how the administration is to be carried on, what the policy of the Government is in certain important matters and leaves that policy to be carried into effect by its subordinate officers.

2. With a view to the better and more efficient administration of the country, the whole of British India has been divided into a number of provinces, each in charge of an officer of great experience and ability. The following are the provinces into which British India is divided :—

#### *Principal Provinces.*

Name of province.	Area in thousands of square miles.	Population in millions of inhabitants in 1901.
Burma ...	170	9
Bengal ...	110	51

Name of province.	Area in thousands of square miles.	Population in millions of inhabitants.
Eastern Bengal and Assam ...	90	30
Madras ...	142	38
Bombay ...	123	19
United Provinces of Agra and Oudh ...	107	48
Central Provinces (including Berar)	104	13
Punjab ...	97	20

*Minor Provinces.*

Name of province.	Area in thousands of square miles.	Population in thousands of inhabitants in 1901.
North-West Frontier Province ...	16	2,125
British Baluchistan	46	308
Coorg ...	1.6	181
Ajmer-Merwara ...	2.7	477
The Andaman and Nicobar Islands...	3	25

3. We learn from a study of the history of Formation of India that the East India Company Presidencies established its first settlement at Surat in 1613 under a *firman* from the Emperor of Delhi. In 1668 the island of Bombay was granted by the Crown of England and in 1708 Bombay was formed into a presidency with a Governor at its head. Later on other adjoining parts of the country were united to it. Similarly the site of Fort St. George as acquired in 1639 and formed into a presidency in

\* This province was formed in 1905

1653. Subsequently its area was greatly extended as the result of the war with the French and Hyder Ali and by grants from the Emperor of Delhi. In Bengal the East India Company first established a factory at Balasore in 1642. In 1698 the site of Calcutta was bought and after the battle of Plassey in 1757 Company rule was firmly established there. Thus each of the three presidencies of Madras, Bombay and Bengal were the first territories acquired by the East India Company and over each of them a Governor was appointed, managing the affairs of his charge independently of the others. In 1834 the Governor of Bengal was also appointed the Governor-General of India and the two Governors of Bombay and Madras were placed in subordination to him. As the work of the Governor General became more heavy, he was relieved from the direct management of any territory and a Lieutenant-Governorship of Bengal was formed in 1854. The formation of other provinces was the result of further expansion of the territory by annexation and otherwise, until in the present day the provinces are as given in the statement on pages 28 and 29.

4. For administrative purposes the different provinces may be classed under three heads, *viz.*, presidencies, local Governments and local administrations. The distribution of the several provinces under these three heads is as follows :—

*Presidencies.*

Madras and Bombay.



*Local Governments.*

Bengal, Eastern Bengal and Assam, United Provinces of Agra and Oudh, Punjab, and Burma.

*Local administrations.*

Central Provinces and Berar, North-West Frontier Province, British Baluchistan, Ajmer-Merwara, Coorg, and the Andaman and Nicobar islands.

5. Both the principal and the minor provinces are under the supervision and control of the Governor-General in Council.

The two Presidency Governments of Bombay and Madras are under the direct administration of the Governors in Council, whose powers and duties are regulated by Acts of Parliament. The Governors are appointed by the Crown and hold office for five years. The Council of each Governor consists of two members, appointed by the Crown. They must have served for at least twelve years prior to their appointment as councillors and must belong to the Civil Service. In Bombay a member usually belongs to the judicial branch of the service. The whole work of the Government of these two presidencies is distributed between the Governor and his Council and is managed in the same manner as that of the Government of India. The Governor has power to overrule his Council and has direct correspondence with the Secretary of State and the Sovereign. There are also Legislative Councils in these two presidencies on the lines of the Legislative Council of the Governor-General. They can legislate on provincial matters,



but no law passed by these Councils can be enforced without the assent of the Governor-General.

6. Next in rank to the Governors are the Lieutenant-Governors, who are the administrative heads of the provincial Governments. They are appointed by the Governor-General, subject to the approbation of the Crown and hold office for five years. They must have served for at least ten years in India prior to their appointment but generally they are the senior members of the India Civil Service. The extent of their authority may be declared and limited by the Governor-General in Council with the sanction of the Secretary of State for India. The Lieutenant-Governors have no Executive Council, the work of the Government being in charge of the different secretaries, administering the various departments. They have, however, Legislative Councils, some of which enjoy the right of interpellation, while others do not. Among the latter are the Legislative Councils of the Punjab and Burma.

7. Below the Lieutenant-Governors in rank are the Chief Commissioners, who are provincial delegates of the Governor-General in Council appointed without any reference to Acts of Parliament. In theory the whole of British India, with the exception of the territories administered by the Governors in Council and the Lieutenant-Governors, are under the authority and rule of the Governor-General in Council, and the Chief Commissioner is merely an agent of the Governor-General, administering the provin-

on his behalf. The Governor-General can, therefore, delegate any of his powers to his agent or modify such powers whenever he thinks fit. The Chief Commissioners preside over local administrations and have no Legislative Councils. They are assisted in their duties by Secretaries.

8. In addition to the Secretaries the other principal officers in the Presidency and local Governments and in some of the local administrations are the Inspectors-General of Police, Jail, Registration, Civil Hospitals ; Chief Engineers and the Directors of Public Instruction.

9. Before we proceed to consider the several provincial Governments, let us first note the difference between the regulation and non-regulation provinces.

Up to the year 1834 the method of legislation was by means of regulations issued by the Executive Council of Fort William (Calcutta), Fort St. George (Madras) and Bombay. Some of these regulations were complicated and intricate and were not suited to all the provinces equally. Later on, therefore, less advanced provinces, which were acquired afterwards, were ruled in accordance with simpler regulations based on the spirit of the old regulations and modified according to needs and requirements. Thus those provinces which were ruled according to the old regulations came to be known as "regulation provinces," while the others were termed "non-regulation provinces." But the distinction

between the advanced non-regulation provinces and the regulation provinces has now disappeared except in certain administrative details, and so far as legislation is concerned this distinction no longer exists. Its place has been taken by forward and backward provinces and the Governor-General can still legislate by means of executive orders for the backward provinces. Bombay (with the exception of Sind), Madras, Bengal, Eastern Bengal and the United Provinces (with the exception of Oudh) are the five regulation provinces, the remaining being non-regulation provinces. We shall now give the administrative details of the regulation provinces.

10. The unit of administration is generally a district which consists of two or more sub-divisions. There are more than 250 districts in the whole of British India, their average area and population being 4,430 square miles and 9,31,000 people respectively. Individual districts vary greatly in area and population, but on the whole the districts are largest in Burma and Madras and smallest in the United Provinces. With the exception of Madras, in each of the other regulation provinces there is an officer between the Government and the chief district officer. He is known as the Commissioner of a division, which is usually made up of a group of four or five districts. He is in charge of the general superintendence of the districts in his division and acts as a court of appeal in revenue matters.

11. Between the Commissioner and the <sup>in Bombay,</sup> sub-  
The Board of ment, so far as revenue matters are  
Revenue. concerned, is the Board of Revenue,  
consisting generally of two members who are the senior  
Civil servants belonging to the province and control its  
entire revenue administration.

12. Below the Commissioner in rank and authority  
is the Collector and Magistrate—the  
The Collector: chief executive officer of a district.  
His Duties. He is the representative of the Govern-  
ment in the district and is in fact looked upon by the  
people as the very embodiment of the British power.  
It is through him that the orders of the Government are  
given effect to and its wishes made known to the people.  
He may also be said to be the connecting link between  
the people and the Government. He combines in him-  
self the functions of the principal revenue officer of the  
Government as well as that of the Chief Magistrate. As  
a revenue officer or Collector he is chiefly concerned with  
the land and land revenue and his duties in this con-  
nection are heavy or otherwise according to the system  
of tenure prevalent in the province. In addition to  
all questions concerning the land and peasantry, such  
as the assessment and collection of land revenue, the  
village establishment, the condition of the peasants, the  
settlement of all disputes between landlord and tenant,  
and the grant of loans for agricultural purposes, the  
Collector has to superintend the local administration of  
excise, income-tax, stamp duty and other sources of  
revenue. He is also responsible for the district treasury.

between the when as the chief district Magistrate he has regulative special functions and powers. There are three classes of Magistrates, arranged according to the extent of their powers. As a Magistrate of the first class he can imprison for two years and impose a fine of Rs. 1,000, but generally he does not do much criminal work. His usual business is the supervision of the work of other Magistrates subordinate to him in the district. He is responsible for the peace of his district and for the suppression of crime, for the proper control of the police and for the management of the district jail. He has, in fact, to concern himself with everything that affects the people of his district. Although there are special departments to look after the special concerns of the Government, as for example—public works, forests, jails, sanitation, education, &c., yet his counsel and co-operation are always in demand for everything. The municipal and district boards and famine relief operations also come within the scope of his responsibility and duty. He is assisted in his work by the Superintendent of police and the Civil Surgeon and a number of subordinate officers.

14. Each district is divided according to its size into a number of sub-divisions. In District Sub-divisions. some provinces there are even four or five sub-divisions while in others there are two only. In Madras and Bengal the sub-divisional officers reside within their jurisdiction, while in Bombay and the United Provinces they remain at head-quarters when not touring. These sub-divisional officers are called



Deputy Magistrates or Deputy Collectors. In Bombay, Madras and the United Provinces there are smaller sub-districts called Talukas or Tahsils which are administered by Tahsildars, called *mamlatdars* in Bengal. In Madras, the Tahsildar is generally in charge of revenue work, the magisterial duties being performed by another officer called the Stationary Sub-Magistrate. In other provinces the Tahsildar has magisterial as well as revenue functions. Under the Tahsildar are Naib-Tahsildars and Kanoongoes, who help him in the discharge of his duties, mostly in revenue matters. The Kanoongo has generally to do with the village and to supervise the work of Karkuns or Patwaris, who keep the village accounts, and register for holdings and other records connected with the land revenue.

15. In so far as the judicial administration of the province is concerned the highest court of appeal and justice both in criminal and in civil suits is the High Court and the first court of appeal is the District and Sessions Judge. Below this there are the courts of the Magistrate and his assistants and deputies who have both criminal and revenue jurisdiction, while so far as civil suits are concerned the subordinate courts are those of the Sub-Judge and the Munsiff.

16. So far we have dealt with the regulation provinces. We will now take up the non-regulation provinces. The head of administration is a Lieutenant-Governor in the Punjab, Burma and Assam and a



Chief Commissioner in the Central Provinces and all the minor provinces. The Lieutenant-Governor of the province of Agra is also the Chief Commissioner of Oudh, while Sind is under the Governor of Bombay. All high offices in the non-regulation provinces are held by members of the Indian Civil Service and in some places by officers of the Indian Army. The executive head of district is styled Deputy Commissioner and not Collector, and the subordinate officers are called Assistant Commissioners and Extra Assistant Commissioners, corresponding to Assistant Collectors and Deputy Collectors, with the exception of Oudh which retains the name of Deputy Collector. There are no Boards of Revenue in the non-regulation provinces, except in the case of Oudh which is under the Board of Revenue of the province of Agra. In the Punjab and Burma the functions of the Board of Revenue are exercised by Financial Commissioners. In the Central Provinces the Commissioners and the principal district revenue officers are immediately subordinate to the Government and the district administration is carried on as in the regulation provinces except that the Deputy Commissioners can be invested with extensive criminal powers. The judicial administration in the Punjab and Lower Burma is under Chief Courts consisting of several judges appointed by the Governor-General in Council. In Upper Burma, the Central Provinces, Oudh and Sind, the functions of the Chief Courts are exercised by an officer called the Judicial Commissioner.

17. As regards the minor provinces, the North-West Frontier province and British Baluchistan are divided into districts and administered by Deputy Commissioners on the same lines as in the principal non-regulation provinces. The Agents to the Governor-General in Rajputana and Baluchistan and the Resident in Mysore are *ex-officio* Chief Commissioners of Ajmer-Merwara, British Baluchistan and Coorg, respectively. The Superintendent of the penal settlement at Port Blair is the Chief Commissioner of the Andaman and Nicobar islands. The North-West Frontier Province is administered on the lines of the Punjab. The Chief Commissioner there is also the Agent to the Governor-General for political purposes. He has a Revenue and a Judicial Commissioner in place of a Financial Commissioner and the Chief Court, while the other high officers are the Inspectors-General of Police and Education and the Administrative Medical officer.

18. The Province of Baluchistan is made up of the three districts of British Baluchistan, the agency territories consisting of districts held on lease, and the Native States of Kalat and Las Bela. Here one officer—subordinate to the Chief Commissioner—combines in himself both the judicial and revenue functions.

19. In Coorg the resident in Mysore is both the Chief and Judicial Commissioner. The highest local authority is the Commissioner, who has practically charge of every department of the administration,

while the internal administration is on the lines of an ordinary British district.

20. In Ajmer-Merwara there is a Commissioner, subordinate to the Chief Commissioner, and a number of Assistant Commissioners.

21. In the Andaman and Nicobar islands the Superintendent at Port Blair has a Deputy Superintendent and several assistants.

22. In this survey of the administration of the provinces of India we have learnt  
**The Indian Civil Service.** about the several officers who take part in managing the different branches of administration. The whole service is divided into two branches, *viz.*, the Indian Civil Service, and the Provincial Subordinate Service. For admission into the former a competitive examination is held every year in England, which is open to all natural born subjects of the Crown between the ages of twenty-two and twenty-four. As many officials as are required every year are selected from among the list of successful candidates arranged in order of merit. Selected candidates undergo special training for a year in England and are then sent out to India, where they begin as magistrates of the third class, but after passing the prescribed examination in law, language and procedure they become first class magistrates and are eligible for higher appointments. Those who show special aptitude for judicial work are transferred to that branch of the service as judges.

23. In the Provincial Service on the executive side

The Provincial and Subordinate Services.

the highest first appointment is that of a Deputy Collector or Extra-Assistant Commissioner. These as well

as the other subordinate appointments are made in some provinces by open competitive examinations and in others by nomination, and by graduated promotion. Some of the higher appointments, for which the members of the Civil Service are usually selected, have been reserved for members of the Provincial Service.

24. On the judicial side the judgeships and other

The Judicial Service.

subordinate appointments are made by transfer from the executive line (as noted above) or by recruitment or promotion. Pleaders of a certain standing are generally appointed in the first instance as Munsiffs and they can by gradual promotion or by selection rise to the highest post in that branch: viz. to that of a High Court or Chief Court Judge. A pleader or barrister of great experience and ability may be appointed direct to a seat on the High Court or Chief Court bench. In fact some of these appointments are reserved for pleaders and barristers.

25. Admission into the Civil Service entails the necessity of residence for some time in England and thus on account of religious prejudices and social customs Indians have not availed themselves to any great extent of the open competitive examination for the Civil Service of India, but the provincial services are mostly manned by them and in the judicial line they have

proved an unqualified success, and have given ample evidence of competence and ability. It may be hoped that with the advance of education and of broad and noble ideas the barrier of custom and religious prejudice will no longer stand in the way, and in the future we may hope to see many Indians serving their country.

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## CHAPTER IV.

### THE NATIVE STATES AND FOREIGN RELATIONS.

1. So far we have dealt with the system of government prevailing in the territories administered by the Governor-General of India or by officers subordinate to him. But, as has already been pointed out in a previous chapter, there are many territories in India over the internal administration of which the Governor-General has no direct control. They have their own native rulers, who acknowledge the suzerainty of the British Power. These rulers may roughly be divided into two groups :--(i) those who have full powers to manage their internal affairs; their territories are called States; (ii) those who enjoy no ruling powers, but own large tracts of country and are subject to the laws and regulations under which British India is administered. These tracts are known as Estates, and are in fact nothing more than the landed property of big zamindars. In this chapter we shall deal with the former.

2. The political history of the rise of the British power in India no doubt played an important part in determining the present position of the existing Native States.

Changes in  
policy towards  
States.



States. The different lines of policy followed by the British rulers of India from time to time have been instrumental in affecting the conditions under which these States exist. At one time during the rule of the East India Company it was firmly declared that "to pursue schemes of conquest and extension of dominion were measures repugnant to the wish, the honour and the policy of that (British) nation." The result of this policy was that India suffered from civil war and even British territory was disturbed by the contending parties, and gave rise to the dacoits, who made it their business to extend their plundering expeditions to all parts of the country, bringing ruin and destruction on the places they visited. This state of affairs could not be tolerated and the British rulers of India were forced to change their policy of non-intervention. Thus, during 1813 and 1823, several wars were waged to crush the Pindharies, and the disturbing Native States were compelled to come to terms. Although this produced comparative peace, yet the Native States were mostly misruled and when any Indian ruler died without any male issue, his territories were annexed with a view to introduce administrative reforms and to avoid the disorders so inevitable in determining the question of succession. In 1858, after the Mutiny, British protection and permanency of rule were extended to all the Native States on condition of their remaining loyal to the British Government and acknowledging its suzerainty. At the same time all the rulers then in possession of States were accepted as such

and it was definitely declared that the question of previous rights would not be opened and considered.

3. Some of the Native States now in existence trace their origin to ancient times, while a large majority are of modern growth. Among the former may be mentioned most of the Native States of Rajputana, such as Udaipur, Jaipur, Jodhpur and Bikanir, while among the latter are the States in Kathiawar and Central India. Be their origin what it may, their stability is no longer a question of doubt. This is assured, and they are all now admitted into the political system of British Protectorate. The British Government has accepted all the treaties into which States had entered with the East India Company, subject to their continued loyalty to and acknowledgment of the British Government as suzerain power. After the Mutiny, *sanads* were granted to all the important Chiefs conferring on them the right of adoption. In short, it has been solemnly declared that the British Government "is desirous that the Government of the several Princes and Chiefs of India, who now govern their own territories should be perpetuated and that the representation and the dignity of their houses should be continued." In the celebrated Proclamation of Queen Victoria in 1858 the following significant words are found :—"We desire no extension of our present territorial possessions, and while we will permit no aggression on our own dominions or our rights to be attempted with impunity, we shall allow no encroachments on those of others. We shall respect the right, the dignity and

honour of the Native Princes as our own ; and we desire that they, as well as our own subjects, should enjoy the same prosperity and that social advancement which can only be secured by internal peace and good government. These words should be taken to declare in no uncertain terms the fixed policy of the British Government in regard to the Native States.

4. The words " Native States " have been defined to mean " territories of any Native Prince or Chief under the suzerainty of His Majesty exercised through the Governor-General of India or through any Governor or other officer subordinate to the Governor-General of India." According to this definition there are one hundred and seventy-five States under the control of the Supreme Government and about five hundred under provincial rulers. All these States may be roughly classified under three heads :—  
 (i) individual States of great importance and large area ;  
 (ii) States lying close to one another and forming groups for purposes of Government control ; (iii) small States lying within the British districts or provinces.

5. Under class I come the following States :—Nepal, Hyderabad, Mysore, Baroda and Kashmir. The Government of India is represented by a Resident in each of these States, who gives advice on all important matters, helps in the administration of their territories and sees that the treaty conditions are observed. Nepal stands somewhat on a different footing from the other four States. It is independent in respect to its internal administration, while its foreign

relations are controlled by the Government of India. It is bound to receive a British Resident and cannot take Europeans into its service without the sanction of the Government of India.

6. Under class II, there are the three agencies of Central India, Rajputana and Baluchistan with sub-agencies. They include the following States :—

*Central India.*—Gwalior, Indore, Bhopal, Rewah, Orchha, Datia, Dhar, Jaora, Panna, Bijawar, Ajaigarh, Chhatrapur, Charkhari, and one hundred and thirty-five minor States, sixteen of which are not really States, as their Chiefs own no land, but receive guaranteed cash revenue from the Government.

*Rajputana.*—Udaipur, Jaipur, Jodhpur, Bharatpur, Bikanir, Kotah, Tonk, Bundi, Karauli, Alwar, Dholpur, Banswara, Sirohi, and seven other minor States.

*Baluchistan.*—Kalat, and Las Bela.

Some of these States under the different agencies are of sufficient importance to have a Resident at their courts, while in case of others there are political agents over single States or over groups of several States.

7. The following States come under class III, *i.e.*, they have no relation with the Government of India, but are in direct communication with the provincial Governments.

*Madras.*—Travancore, Cochin, Pudukotta, and two minor States.

*Bombay.*—Kolhapur, Cutch, Khairpur, Idar,

Bhavanagar, Junagarh, Navanagar, Palanpur, Gondal, Rajpipla, Bhor, Sangli and three hundred and forty-two minor States.

*Bengal.*—Sikkim, Cooch-Behar, Bhutan, Mayurbhunj, Keonjhar, Dhenkanal, Gangpur, Kalahandi, Patna, Sonpur, Bamra, and eighteen minor States.

*United Provinces.*—Rampur and Tehri.

*Punjab.*—Patiala, Nabha, Jindh, Kapurthala, Mandi, Sirmour, Chamba, Faridkot, and twenty-five minor States.

*Burma.*—Northern Shan States (6), Southern Shan States (38), Karen States (5), and three minor States.

*Central Provinces.*—Bastar, Raigarh, Surguja, Jashpur, Udaipur, Korea, Chang Bhakar and eight minor States.

*Eastern Bengal and Assam.*—Manipur, Hill Tippera, and twenty-five Khasia States.

8. Some of the more important of the States had **Subordinate co-operation of States.** treaties on terms of equality with the East India Company and distinction between dependent and independent States was observed in those times. But with the assumption of paramount power by the Crown of England this died out as a matter of course and its place was taken by a new spirit of subordinate co-operation on the part of the Native States. Engagements were entered into and *sanads* were granted, while conventions were agreed to with a view to promote works of public utility and peace.



9. Thus by means of these agreements the Indian Chiefs came to enjoy the following Privileges of States. —

- (1) Protection against dangers from without.
- (2) Guarantee of their rights as rulers by the British Government.
- (3) Extension of British protection to the subjects of the Native States in foreign countries.
- (4) Exemption from British laws except in the case of personal or residuary\* jurisdictions.

According to this, criminals escaping into a Native State are now arrested by the Police of British India with the permission of the chief concerned.

(5) Intervention of the suzerain power when internal peace is disturbed.

(6) Participation in all the benefits obtained by the British Government through its diplomacy or administration of British territories, such as commercial treaties with foreign Governments, extension and opening of railways, etc.

(7) Admission of the subjects of the Native States into most of the public offices of the British Government.

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\* In territories where many petty chiefs rule, the British Government gives each chief according to his means a share of territorial jurisdiction and reserves to itself such powers as are not entrusted to him. This is known as "residuary jurisdiction" and is exercised by the British Government on behalf of these chiefs.



10. While the Native States enjoy these privileges they have corresponding duties to perform. Rights carry obligations with them. So Indian rulers have been enjoined to observe certain restrictions in their actions in respect of (i) foreign relations, (ii) common defence of the country, and (iii) good government and welfare of the State. In principle, the first two of these obligations are common to all the States, while the third is modified in the case of individual States to the extent to which the power of the rulers is restricted. We shall now take each of these duties and explain them.

11. It has been imposed on and accepted by all the Native States that they will have no diplomatic connection with any of the foreign powers and will not enter into any relation with them. If need arise for such relation, it must be through the Paramount Power. On the other hand the treaties which the British Government has entered into with foreign powers must be scrupulously respected by the Indian princes. The British Government undertakes to safeguard the interests of the Native States and their subjects in all foreign matters, and it must, therefore, see that its own relations with foreign powers are not jeopardised by the actions of any Native States. Under these conditions the Indian Princes are not permitted (i) to employ the subjects of European nations or Americans without the sanction of the Paramount Power, (ii) to receive even the commercial agents of foreign powers at their capitals, (iii) to accept any

title or honor from any foreign court or association, and (iv) to issue any passports to their own subjects when they travel abroad.

12. Exactly the same principle as is observed in the case of foreign powers is observed in the dealings of the princes among themselves. They cannot enter into treaties or engagements among themselves to settle any differences or to take action for future guidance. All such questions must be submitted to the Paramount Power by both parties and its decision will be binding on either party under all circumstances.

13. Thus we see that an Indian Prince cannot attack his neighbour or quarrel with any foreign power. Consequently it is not necessary for the Princes to maintain any army except for the preservation of internal peace, for show or for the help of the Paramount Power. The British Government has undertaken to defend them on all occasions and the large army which it maintains is not intended for British India alone but for the whole of the Indian Empire. It has been definitely laid down in the treaties which have been made with the Native States that no places in the States should be fortified, no factories for the production of guns and ammunition constructed and no subjects of other States enlisted in the local forces. But the duties of the Native States do not end here. Since they receive protection from the British Government and are freed from the embarrassment of maintaining a large military establishment, it is necessary that they should

Common De-  
fence of the  
Country.

co-operate with the Government in the defence of the whole country. They employ, therefore, a certain number of troops for the general defence of the country. These troops are known as Imperial Service Troops. They number in all about eighteen thousand men and are under regular inspection and training by British officers. All charges in respect to these troops are met by the respective Native States.

14. The duties of Native States are, therefore, two-fold. In certain instances they are negative or passive while in others they are active. In other words, while an Indian Prince cannot maintain a military establishment for purposes of offence or defence, he has to provide a number of troops for the general defence of the Empire, whenever necessity arises. He may, however, keep a limited number of soldiers for purposes of show and ceremony and for the preservation of the internal peace of his dominions.

15. Thus, while his powers are limited in respect to **Internal administration.** of foreign relations and the maintenance of a military establishment, he is the absolute ruler of his dominions, except when his State is misgoverned and the interference of the Paramount Power becomes imperative. So long as his subjects are well governed and there are no serious abuses in his administration, the Paramount Government does not interfere, but when there is anarchy or disturbance in the State and his administration is not satisfactory, the Governor-General in Council interferes to remove the abuses. He can further interfere if any attempt

is made to destroy the territorial unity or integrity of the State and can enforce the abolition of barbarous and inhuman customs such as sati, infanticide and slavery. In objects of common welfare co-operation is pressed for and advice tendered.

16. While these are the obligations and duties of all the Native States in general, the question of jurisdiction is different in the case of different States. Thus in certain matters where the provisions of British law confer jurisdiction on British subjects and others in foreign territories, it is necessary that such jurisdiction be exercised by British courts. Where there is a cantonment or a civil station in any protected territory, the jurisdiction does not extend to the British troops or officials alone, but to all persons and things therein. Lastly, as we have already stated, there are groups of States which possess merely shadowy powers restricted to limited jurisdiction in civil and criminal matters. In all such cases the suzerain Power exercises full control and administers those territories on proper lines.

17. For the purposes enumerated above, the British Government has a set of officers who exercise the powers reserved for the suzerain Power in these different States. For the principal States there are the Residents and for groups of States there are the Agents to the Governor-General, who are helped in their work by Political Agents and others. In the States which are

situated within British provinces, the provincial Governments exercise control through their officers.

18. In this way the Government does all it can to advance the interests of the British territories, and at the same time exercises control over the Native States, always endeavouring to keep good relations with the Chiefs and to help them with its advice and guidance in the problems which arise in connection with the proper and efficient administration of a territory.

19. This is the general outline of the foreign relations of the Government of India within the limits of the Indian Empire, but, as has been pointed out in a previous chapter, the existence of States and Governments on the borders of the British Empire or near about them necessitates diplomatic relations with them.

20. It is common knowledge that a man must live on good terms with his neighbours for his own advantage as well as for theirs. If that be true in the case of an individual it is much more so in the case of a great empire. We have not only to manage our home affairs properly and efficiently but we must also see that we are not in constant danger from outside, that our neighbours are friendly towards us and that they will be prepared to help us in case of necessity. The work of an empire extends in many directions. Apart from all internal affairs, the ruling power has to know the attitude of the rulers outside the limits and on the



borders of its empire, to form relations with them, to settle all points of discord and disagreement, and at the same time to see that a common bond of mutual friendliness is established. Taking into consideration the case of India and its geographical situation, the British Government has to maintain the peace and safety of the seas that wash the Indian coasts, to study the movement of seaborne trade and the commercial tariffs of its neighbours, to keep in touch with the course of events on the borders of Siam, Tongking, China, Russia and Persia, to protect the rulers of islands and maritime districts in the Persian Gulf and the Arabian Sea, and to maintain fortified out-posts where possible, *e. g.*, at Aden. A glance at the map of India will show that this vast empire is surrounded on the West, North and East by the territories belonging to Persia, Afghanistan, Russia, Tibet, China and Siam. Consequently the Government of India has to maintain diplomatic relations with each of them.

21. The westernmost point to which the political activity of the Government of India extends is the fortress of Aden with the adjoining belt of protected territory. In 1799 it was feared that a French expedition would be undertaken against the British power in India and a detachment was, therefore, sent to occupy the island of Perim which is situated in the narrow strait that connects the Red Sea with the Indian Ocean, the detachment being withdrawn as soon as the danger was over. In 1839 Aden was taken from the Sultan of Lahej, who had not



protected the crews of British vessels wrecked on the coast of Arabia, and in 1857 the island of Perim was again occupied and has since remained in British possession. The occupation of Aden and Perim brought the British Government into political relations with the tribes that inhabit the country near Aden. In course of time all these tribes were brought under British protection and treaties have been made with them providing for the safety of the trade-routes and the peace of the country, the maintenance of friendly relations with the Aden authorities, and the fixing of annual stipends due to the tribes from the Government in return for their engagements. Aden is now within the administrative control of Bombay.

22. Just below Aden to the east of British Somaliland is the Cape of Gwardafui. One hundred and fifty miles to the east of this cape is the island of Sokotra on which a coal depot was established in 1834 with the permission of the Mohri chief. In 1886 a formal protectorate was established over the island, whose Chief undertook to enter into no relations with any foreign power except with the permission of the British Government.

23. Similarly all the tribes inhabiting the coast of Arabia from Bab-el-Mandeb to Maskat have been brought under British protection and they have bound themselves to enter into no correspondence or treaties with any foreign power except with the sanction of the

Arabian Coast  
and Persian  
Gulf.

British Government, and to give immediate notice of any attempt to interfere with their country and its dependencies. Proceeding further along the coast line lie the dominions of the Sultan of Maskat, with whom also the British Government has established relations. The Government undertakes to protect the ruler, to settle the succession and to help him in preserving peace in his dominions, and has agreed to respect his independence. The Sultan on his part co-operates with the Government in suppressing piracy, abolishing slavery, affording facilities for trade with India, and has granted consular jurisdiction to the British Agent there. In the same way political relations have been established with the tribes and powers possessing territories along the whole of the coast line of the Persian Gulf. They have been bound down to keep peace at sea and are left to manage their own internal affairs, although now and then they seek the advice of the British Resident.

24. There are several islands in the Persian Gulf, and the British Government has occupied some of them from time to time.

**Bahrein.** The most important of these islands is Bahrein which is at present in the possession of the Atabi rulers. The Shaikh, by which name the ruler of this island is known, is acknowledged to be an independent prince in alliance with the Government of India and treaties have been made with him by which the Shaikh has agreed not to enter into negotiations with any foreign power or to afford any trading facilities except with the permission of the British Government.

25. The other important countries which lie be-

tween India and the Persian Gulf are  
**Persia and** Persia, Baluchistan and Afghanistan.  
**Afghanistan.**

The relations with Persia are more connected with the Colonial Office in the United Kingdom than with the foreign office of the Government of India. But as India is interested in the trade with Persia and in the political situation of that country no fixed line of demarcation between the Indian Government and the Home Government has been drawn in their respective relations with Persia. Each deals with its own business but keeps the other informed of the steps or actions taken. The entire charge of the British establishment in Persia is divided between the Indian Government and the Home Government. Baluchistan consists partly of protected states and partly of British possessions, while the treaties which have been entered into from time to time with Afghanistan provide that the Amir of Afghanistan shall have no relations with any foreign power except through the British Government; and the British Government on its side undertakes to help the Amir in case of an unprovoked aggression on his territories. The boundary of the territories of Afghanistan has been fixed in relation to Russia and Persia and the Amir is paid a subsidy of eighteen lacs a year to make his country strong and independent. The relations of the Government of India with the Amir are now very friendly. The present Amir, Habibulla Khan, recently paid a visit to India, and a convention of the British Government with Russia

has established the integrity of the country of Afghanistan and has brought it definitely and directly within the political influence of the Government of India. The Governor-General is represented at Kabul by an Indian Mohammedan Agent and the Amir maintains an envoy at the head-quarters of the Government of India.

26. Proceeding with the line of the frontier of India on the north we find that a corner of the Russian dominions and parts of the Chinese Empire and Tibet lie beyond the mountain border of India from the Pamirs eastward until the boundaries of Burma run parallel to those of China. An assistant Resident is therefore stationed at Kashgar which is situated at the meeting of routes from the valley of Oxus, from Samarkand and from China and India. He safeguards the commercial interests of India and is subordinate to the Resident at Kashmir.

27. Tibet, which is situated on the other side of the TIBET and Himalayan mountains, is a country of China. great interest and importance. Lhasa, its capital, is situated at a distance of less than two hundred miles from Sikkim and is known to be rich in gold and other minerals. The extension of the Indian railway system to Darjeeling has brought it within easy reach of approach and it may naturally be expected that attempts will be made to unravel its secrets and to open up facilities for trade and commerce. But the Tibetans have been peculiarly anxious to keep themselves aloof from all foreign interference and European visitors. Thus all the attempts which the Government of India

has made from time to time to establish commercial relations with Tibet have been sometimes directly and sometimes indirectly opposed by the Tibetans. The country is admitted to lie within the territorial suzerainty of the Chinese Government and thus commercial concessions were secured from that Government, but the followers of the Dalai Lama have almost always proved obdurate in accepting these agreements, and consequently, in 1904, Colonel Younghusband went to effect a permanent settlement of all questions with the Chinese officer who was deputed to negotiate on behalf of his Government. But the Tibetans placed obstacles in the way of these negotiations and Colonel Young-husband had to advance on Lhasa. A treaty was then signed settling the frontier and other questions. Trade routes have now been established, and it is expected that in course of time a profitable trade will be carried on with that peculiar and interesting country.

28. Further to the south-east and adjoining the frontier of Burma on the east is the Chinese province of Yunnan with whose authorities the British officials in Burma have constantly to settle all questions of internal order, commercial intercourse and mutual assistance. Consequently conventions have been entered into with the Chinese Government, a temporary boundary line has been fixed by the two Governments concerned, and commercial relations have been established.

29. Further south is the kingdom of Siam with which it was deemed necessary to



settle the frontier after the annexation of Arakan, Tenasserim and Pegu, as the two countries were thus brought closer together. Different engagements were concluded and the mutual influence of France and England in Siam was recognised.

30. We have seen how the British Government has drawn this cordon of diplomatic relations with the neighbouring powers on the one hand, and, while safeguarding all the possible approaches and roads to India by treaties and engagements, has, on the other hand, opened up facilities for trade and commerce with those countries and has endeavoured to keep the Indian Empire free from foreign attacks and disturbances. The possessions which foreign powers have in India are very limited in area and influence and little difficulty is felt in connection with them. France now possesses only Chandarnagore, Pondicherry, Karikal, Mahé and Yanam, and has agreed to erect no fortifications and to keep no more troops than are necessary for internal peace. The possessions of Portugal in India are limited to Goa, Diu and Daman. Both at Pondicherry and Goa the British Government has a consul to safeguard British interests and to serve the purpose of ready communication with the Governments of these two powers.

31. India as a dependency of England is a free-trading country. All countries can carry on trade with India without any restrictions. Such countries, therefore, as have commercial relations with India

Agents of  
Foreign Powers  
in India.



require officers of their respective Governments to safeguard their interests in India. Such officers are known as consuls and are recognised by the Indian Government through the Foreign office in London. Their headquarters are situated on the coast and their functions are mainly limited to commercial matters. No foreign consular agent can be received by any of the Native States nor does the Government of India recognise them for places in the interior of India.

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## CHAPTER V.

### LEGISLATION AND JUSTICE.

1. Having so far given a plan of the general machinery of the Indian Government, we will now take up some of the important branches of administration and deal with them in some detail so that the reader may have an idea of the different activities and resources of the Government. The most peculiar and at the same time remarkable branches of administration are those for making laws and administering justice. The two subjects are so intimately connected that they may be dealt with in the same chapter.

2. The legislative machinery of the Government of India has undergone many changes with the advance of time and the necessity of circumstances. Up to the year 1834 the legislative authority was vested in the Executive and to some extent this system survives to the present day, as will be shown hereafter. After this a separate council with legislative functions was constituted and this has undergone many changes. In the present day the Legislative Council of the Governor-General consists of not less than nineteen and not more than twenty-five members. All the six members

Constitution  
of Supreme  
Council.

of the Governor-General's Executive Council besides the Governor-General himself and the Commander-in-Chief are members of the Legislative Council. It is provided that the Lieutenant-Governor or Chief Commissioner of the Province in which the Council is assembled will be summoned as an additional member, and the Governor-General is authorized to nominate as additional members of his Council such other persons, not less than ten and not more than sixteen in number, as he may think fit. Of these additional members who hold office for two years at a time, one-half at least must be non-officials, but under existing rules the number of additional official members may not exceed six. In order that the Council may be fully representative of all sections and interests it is laid down that of the ten additional members five are to be appointed on the recommendation of the Calcutta Chamber of Commerce and the non-official members of the local Councils of Madras, Bombay, Calcutta, and the United Provinces. The remaining five seats are filled up in such manner as the Governor-General may think fit. Generally the nature of business before the Council and the interests of the communities not represented determine these nominations. The Council meeting is called as often as is deemed necessary, but generally it is held every week in Calcutta from December to March every year.

3. The primary business of the Council is to consider and decide on all bills brought before it, subject to such limitations as are laid down in the Councils Act of 1861.

Limitations of  
the Council.

These limitations may be enumerated as follows:—

- (1) No law passed by the Council is valid until the Governor-General has signed his assent, the British Sovereign having the right to disallow any such law.
- (2) No act giving power to a Court other than a chartered High Court to sentence European British subjects to death can be passed without the previous sanction of the Secretary of State.
- (3) No Bill affecting religion, public revenues, army or foreign relations can be introduced without the consent of the Governor-General.
- (4) No law can be passed which affects the provisions of any acts of Parliament passed after the year 1860, or which affects in any way the authority of the Parliament itself or any part of the unwritten laws or constitution of the United Kingdom whereon may depend in any degree the allegiance of any person to the crown or the sovereignty or dominion of the crown.
- (5) None of the Government of India Acts of 1833, 1853, 1854, 1858, and 1859 or any act affecting the army or enabling the Secretary of State for India to raise money in the United Kingdom can be repealed or altered.

4. Within these limitations the Council possesses powers to legislate for all persons, courts, places and things within British India and for the Indian subjects

Powers of the  
Council.

of the King-Emperor anywhere, for the British subjects and Government servants in Native States, as well as for Native Officers and soldiers in the army, and persons belonging to the Royal Indian Marine. The members of the Council are further permitted to ask questions of general interest and to discuss the annual budget, but they cannot propose a resolution or divide the Council in using either of these privileges. Questions must be framed in the form of requests for information and should contain nothing defamatory, argumentative or hypothetical in form.

5. The Governor-General, and in his absence the senior member of the Council, presides at the meetings of the Council.
- Rules of Business.** On each motion before the Council each member is entitled to speak once after the mover, but may speak a second time by way of explanation. The mover has the right of reply and the president speaks last—bringing the discussion to a close. Seven members form a quorum and all speeches are addressed to the president, and through him all questions are put. Every motion is decided by a majority of votes, the president having a casting vote in addition to his ordinary vote in case of a tie, while once a question is put to vote no further discussion is allowed. The president can decide all points of order, adjourn meetings or business, direct the withdrawal of strangers, and suspend any rules of business whenever he thinks proper. The members have seats round the Council table.



6. The following are the stages through which a  
 Stages of Le- contentious measure before the Coun-  
 gislation. cil passes.

- (1) Motion, after due notice, to introduce a bill, followed by its formal introduction and publication for criticism.
- (2) Reference of the bill to a select committee. At this stage the general principles of the bill are discussed. In select committee the details are scrutinised and the draft amended.
- (3) Consideration in Council of the select committee's report and any further amendments proposed.
- (4) Motion to pass the bill as amended.
- (5) Signature of the President to the bill as passed, assent of the Governor-General and publication of the Act for general information.

In the case of non-contentious bills some of these stages are left out and on occasions of great emergency the rules of business are suspended and a bill may be passed through all these stages at a single sitting of the Council.

7. There are provincial or local Legislative Councils in Bombay, Madras, Bengal, Eastern  
 Local C o u n- Bengal and Assam, United Provinces,  
 cils. the Punjab and Burma. These are constituted on the lines of the Governor-General's Council. In Bombay and Madras, the Governor, the two members of his Executive Council and the Advocate-General form the Legislative Council, with not less than eight and not more than twenty nominated members,



at least half of whom being non-officials. In the other provinces, the Lieutenant-Governor nominates the members of his Council subject to the sanction of the Governor-General. In Bengal, the number of nominated members is limited to twenty, in the United Provinces to fifteen and in all other provinces the Governor-General is empowered to determine the number of members. In Bombay, Madras, Bengal and the United Provinces the non-official members are generally appointed on the nomination of groups of Municipal and District Boards, Universities, the Chambers of Commerce and similar bodies. The rules of business for the local Councils are the same as those for the Governor-General's Council, but no bill passed by these Councils can become law until it has been published with the assent of the Governor-General and the Governor or Lieutenant-Governor, while it can be vetoed by the Crown whenever deemed expedient. The powers of these local Councils are strictly territorial and they are debarred from interfering in any way with the provisions of an Act of Parliament. Nor may they, without the previous sanction of the Governor-General, introduce or pass an Act affecting any law or regulation made by another legislative authority in India or interfering with religion, the custom duties, imperial taxation, the currency, the transmission of postal or telegraphic messages, the penal code, patents, copyright, the army, or foreign relations.

8. In addition to the Acts of Parliament and the laws passed by the Imperial or local Councils, it is provided that

The Statute  
Book.

supplementary rules and regulations may be framed by public authorities or local bodies to carry out the purposes of such enactments. Such rules, regulations, orders and bye-laws are known by the name of Derivative Legislation. The Indian Statute Book, therefore, consists of three parts, *viz* :—(i) the Acts of Parliament (ii) Acts passed in India and (iii) Derivative Legislation. The second part may further be resolved into five heads. The first head includes as much as is still unrepealed of the early regulations of Bengal, Madras and Bombay made prior to 1834. Next there are the Acts of the Governor-General's Council, some of which apply to the whole of India, while others have only local application. These Acts cover a wide range of subjects, in fact they relate to every conceivable branch of Indian Administration with its divisions and sub-divisions. Under the third head fall those regulations which are issued by the executive and take the form and have the effect of legislative enactments. The fourth head comprises temporary ordinances promulgated under Section 23 of the Indian Councils Act of 1861. These can remain in force for six months from the date of promulgation. The fifth and the last head consists of the Acts passed by the different Provincial Councils.

9. This is, in short, the machinery for making laws and we must now turn to the machinery which administers justice and sees that the laws are obeyed. In the time of the East India Company there was no developed system of

High Courts.

administering justice. There were, of course, the Sadar and the Supreme Courts with Subordinate Courts, but in 1861 the Indian High Court Act was passed which provided for the establishment of High Courts of Judicature at Bombay, Madras, Calcutta, and later on at Allahabad, in place of the Courts established by the East India Company. The Judges in these High Courts are appointed by the Crown and continue to hold office during the pleasure of the Sovereign. At least one-third of these judges are to be barristers or members of the faculty of Advocates of Scotland, one-third belong to the judicial branch of the Civil Service and the remaining places are available for the appointment of Indian lawyers. All these High Courts have fixed jurisdiction and are charged with the superintendence of the lower courts and with the framing of rules for the conduct of business, subject to the sanction of the Governor-General in Council. The High Court of Bengal which has jurisdiction over both the Bengals is vested with ordinary original jurisdiction in respect of suits of every description (except small causes) within the Presidency town, and an appeal lies from the judge of the High Court on the Original to a judge on the Appellate side. The High Court can remove and try any suit on the file of the subordinate Court, and is a Court of Appeal from all the lower civil and criminal Courts. The Bombay and Madras High Courts also enjoy powers similar to those of the Calcutta High Court in all important matters, but the Allahabad High Court has no original jurisdiction except in the trial of European

British subjects in criminal cases and in certain other minor matters. Trial by jury is the rule in original criminal cases before the High Courts.

10. In the Punjab and Lower Burma there are Chief Courts composed of a Chief Judge and Judges appointed by the Governor-General in Council. The Punjab Chief Court has no original jurisdiction except in the case of accused European subjects but the Burma Court is the principal civil and criminal Court of original jurisdiction for Rangoon. In the remaining provinces, in place of High or Chief Courts there are one or more Judicial Commissioners appointed by the Government of India and exercising authority by virtue of the various Indian enactments. The Judicial Commissioner in Sind is designated the Judge of the Sadar Court.

11. Every province is divided into sessions divisions consisting of one or more districts and for every sessions there is a Sessions Judge and in cases of necessity additional and assistant Sessions Judges can also be appointed. These Judges have power to try all accused persons duly committed and to inflict any punishment authorised by law, but a sentence of death is subject to the confirmation of the highest Court of criminal appeal. In the presidency towns the accused are committed direct to the High Court by the Chief Presidency Magistrate.

12. Below the Sessions Court, are the magisterial Courts. These are of three classes and have the following powers :—

(i) First Class Courts—with power to inflict punishment for two years and a fine of Rs. 1,000 ; (ii) Second Class Courts—with power to inflict punishment for six months and a fine of Rs. 200 ; (iii) Third Class Courts—with power to imprison for one month and inflict a fine of Rs. 100.

13. The magisterial Courts have definite powers and against each class of crime is given the class of the magistrate competent to try it. A Magistrate of the first class or of a lower class with special authority can commit accused person to the Sessions Court for trial if he finds that he has not the power to inflict adequate punishment. In a non-regulation province the local Government may invest a first-class Magistrate with power to try any offence not punishable with death or may nominate a special Magistrate to try particular cases or a particular class of cases. In the towns Honorary Magistrates are also appointed who try minor criminal cases. In the Presidency towns there are the Presidency Magistrates who try minor cases and commit to the High Court persons charged with more heinous crimes. In addition to these powers Magistrates are empowered to take steps for the prevention of offences by demanding security, etc.

14. In all criminal cases the Judge is assisted by  
**Jurors and As-** competent citizens to arrive at a just  
**sessors.** and proper verdict. These persons



are of two kinds (i) those who merely assist the Judge and do not bind him by their opinion—they are called assessors, (ii) those who bind the Judge by their opinion—they are called jurors. If the Judge disagrees with the opinion of the majority of the jurors he refers the case to the highest Court in the province for orders. In a High Court the jury consists of nine persons and for all other courts the numbers, not exceeding nine, are prescribed by the local Government.

15. A person convicted by a second or third class Magistrate can appeal to the District Appeal. Magistrate and similarly, subject to certain limitations, an appeal lies to the Sessions Judge from the conviction of a Magistrate of the first class. In the same way an appeal lies to the High Court from the conviction of the Sessions Judge. In addition to this the highest Court in the province can send for the papers of any case from the subordinate Court to satisfy itself that the case has been tried in proper form. Ordinarily no appeal lies if a person is acquitted, but in cases of manifest failure of justice the order of acquittal may be appealed against by direction of the local Government or revised of its own accord by the chief Court in the province.

16. The Sessions Judge, in addition to his functions on the criminal side, exercises original jurisdiction in the civil cases of the district. He is also the head of the judicial service in the district and tries all civil suits subject to the provisions of the Civil Procedure

Subordinate  
Civil Courts.



Code. Next to him is the Subordinate Judge with co-extensive original jurisdiction, while the lowest Courts are presided over by Munsiffs who ordinarily cannot try cases in which the property under dispute exceeds Rs. 1,000 in value. Besides these there are the Small Causes Courts, which can try summarily money suits not exceeding Rs. 500 in value. In places where there are no separate Small Causes Courts, the Subordinate Judge and the Munsiff are empowered to try simple money suits not exceeding Rs. 500 and Rs. 100 in value, respectively. In Presidency towns these Small Causes Courts can try suits involving property of the maximum value of Rs. 2,000. There are also village Munsiffs who dispose of petty claims not exceeding Rs. 20 in value, or Rs. 200 with the consent of both parties.

17. From decisions by the Munsiffs appeal lies to the District Judge, who can try the appeal himself or may transfer it to the Court of the Subordinate Judge.

**Appeals in Civil Cases.**

An appeal also lies from the orders or decrees of the Subordinate Judge to the District Judge, but if the value of the original suit exceeds Rs. 1,000 the appeal lies to the High Court. Similarly, from the decisions of the District Judges appeal lies to the High Court.

18. Right of appeal exists from the High or Chief Court in India to the Privy Council of the Sovereign in England both in civil and criminal cases, subject to certain restrictions and limitations which need not be entered into here. From amongst the Privy Council,

**The Privy Council.**

members learned in law are chosen to act as a Judicial Committee. This Committee hears the appeals, and its decisions are final.

19. This is in short the judicial machinery of the Government of India and justice is thus administered throughout the country and the majesty of law upheld.

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## CHAPTER VI.

### THE PUBLIC PEACE.

1. A good Government cannot afford to neglect the important duty of maintaining the public peace. Nothing is more essential than this for the progress and well-being of the country. In a disturbed condition, whether due to external or to internal causes, nothing can prosper, and all the important and civilising functions of a government are neglected. It is, therefore, the paramount duty of a good and efficient Government to see that the country is protected against foreign attacks and that internal peace is maintained. For these two functions the British Government in India employs two different agencies. For the first of these an army is maintained and the British Government extends to India its strong hand of naval power, while for the internal protection of the country there is the police force. Sometimes when serious disturbance occurs the police and the army co-operate and restore peace and order. We shall take up each of these organizations and learn something about them.

2. The Indian Army may roughly be divided into two divisions, *viz.*, the regular forces and the auxiliary forces. The former

Maintenance of  
public peace.

The Army.

consists of British and Indian troops numbering 74,484 and 158,343, respectively, the latter consisting of Volunteers, Imperial Service Troops, Frontier Militia, and Military Police. The whole administration of the regular army is distributed into three army corps commands and ten divisional commands. The three army corps commands are under three Generals and the divisional commands which are further divided into Brigades, are under Lieutenant-Generals and Major-Generals.

3. The order of rank of military officers is as follows:—General, Lieutenant-General, Major-General, Colonel, Major, Captain, Lieutenant, Second-Lieutenant.

4. The different brigades are commanded according to their importance by Major-Generals, Brigadier-Generals or Colonels on the staff. It may be noted here that each of the army corps commands generally has its full complement of cavalry regiments, horse-artillery batteries, field and howitzer batteries, heavy batteries, mountain batteries, garrison companies, mobile guns, sapper and miner companies, infantry battalions, military railway companies, submarine mining companies, and royal engineers.

5. The whole administration of the army is distributed over a number of departments with definite duties and responsibilities. The two chief departments, as has been pointed out in chapter II, are the Army Department and the Military Supply Department. The Army Department is under the Commander-in-Chief

Military De-  
partments.

who deals with all affairs concerning the army (except those allotted to the Military Supply Department) and also has charge of Volunteers and cantonments. The Military Supply Department deals with the following important branches of the army :—

(1) *Supply and Transport Department*.—Is responsible for the supply and storage of all provisions and stores and for the registration and provision of transport animals and attendants.

(2) *Army Clothing Department*.—Is in charge of a Director who supervises the factories and stores at Calcutta and Madras and supplies clothing to the British and Native armies.

(3) *Ordnance Department*.—Is controlled by a Director-General who is responsible for the manufacture and issue of arms and ammunition of war. It is divided into northern and southern circles of supply, each in charge of an Inspector-General. There are nine factories in various parts of the country in charge of an Inspector-General.

(4) *Military Accounts Department*.—The head of this department is an Accountant-General assisted by four Controllers of Military Accounts, stationed at Calcutta, Poona, Madras and Rawalpindi. This department is now controlled by the Finance Department of the Government of India.

(5) *Medical Stores Department*.—The chief officer of this department is the Director-General, Indian Medical Service. He has medical store depôts at Lahore,

Barth Chaudan  
( 79 )

Calcutta, Madras, Bombay and Rangoon, containing all kinds of medical stores and hospital equipments. At the first four of these depôts drugs of various kinds and medicines are manufactured.

(6) *Remount Department*.—This department is also under a Director-General who looks after the breeding and supply of horses for the army. There are four remount depôts.

(7) *The Military Works Department*.—The Director-General of Military Works deals with fortifications, defences and military works generally and has a staff of Royal Engineers under him.

6. The Commander-in-Chief has the following staff  
Army Head- at head-quarters :—  
Quarters.

- (a) *The Chief of Staff*.—Who deals with questions of military policy, the organisation and distribution of the army and its preparation for war, intelligence, mobilization, plans of operations, training and education of the army, and manœuvres.
- (b) *The Quarter-Master-General*.—Who is responsible for the organisation, training and administration of the Transport, Veterinary and Supply services, the accommodation and movement of troops and questions relating to cantonments.
- (c) *The Adjutant-General*.—Who is in charge of recruiting, discipline, training, education and equipment of units.



(d) *The Principal Medical Officer*—Who is in charge of the health, the sanitary arrangements, and the Medical Institutions of troops.

(e) *The Military Secretary*—Who deals with appointments, promotions, exchanges and retirements.

7. The following table will show the authorized Strength of and Native armies :—

British Army.			Native Army.		
Unit.	Officers.	Non-commissioned Officers and men.	Unit.	British Officers.	Indian Officers. Non-commissioned Officers and men.
Cavalry regiment.	29	599	Cavalry regiment	15	17 608
Horse or field battery.	5	157	Frontier Garrison Artillery.	3	3 272
Howitzer field battery.	5	180	Sapper and Miner Company.	2	3 189
Heavy battery (half horsed.)	5	91	Military Railway Company.	1	3 193
Heavy battery (bullock draught.)	5	89	Infantry battalion recruits in Madras Presy.	13	16 584
Mountain battery	5	129	Mountain battery	5	3 323
Garrison Company	5	140	Infantry battalion recruits elsewhere than in the Madras Presidency.	15	16 896
Infantry battalion	29	1,005			

8. The volunteer force consists of 61 corps with  
a total strength of about 34,000, of  
**Volunteers.** whom 32,000 are efficient. All the  
volunteer corps are under the general officers of the  
military areas to which they belong. Junior officers are  
elected by the corps but promotion or appointment to  
the rank of captains is made by the local Government  
and commanding officers are appointed by the Governor-  
General. An officer styled the Inspector-General of  
Volunteers inspects the volunteers throughout India.

9. The strength of the Imperial Service Troops is  
**Imperial Ser-** 18,000, consisting of 7,100 cavalry,  
**vice Troops.** 421 artillery, 570 sappers, 9,384 in-  
fantry, 665 camel corps, six transport corps and two  
signalling units. All these troops are furnished and  
maintained by the Native States.

10. With a view to give military training to young  
**Imperial Cadet** men of noble birth so that they may  
**Corps.** take their places in the Imperial army  
and furnish trained officers to the Imperial Service  
Troops, the Imperial Cadet Corps has been organised.  
It consists of about twenty young men who receive a  
course of training in military exercises and military  
science for two or three years under British officers.  
The head-quarters of this Corps are at Meerut in the  
cold weather and at Dehra Dun in the hot season.

11. In order to effect a greater concentration of the  
**Frontier Milli-** regular forces on the frontier it was  
**tia, etc.** decided in 1899 to withdraw them

from the outlying posts in the Khyber and from the Kurram, Tochi and Shahur valleys and to garrison these outlying stations with corps formed of the local tribes. These corps consist of two battalions of Khyber rifles under a Commandant, two battalions of Kurram Militia and the North and South Waziristan Militia with the Chitrali scouts and the Dir, Swat, Chitral and Bhattani levies. These are all under the Agent to the Governor-General in the Frontier Province. For Baluchistan there is the Zhob Levy Corps. The Militia in all number 6,000 and the levies about 5,700 men.

12. For unsettled tracts of country some battalions of military police are maintained. **Military Police.** They garrison frontier and other posts and generally perform the duties of both soldier and policeman. Their number and distribution are as follows :—

Frontier Province and Punjab	...	...	3,000
Assam	...	...	3,000
Burma	...	...	15,500
			<hr/> 21,500

13. We have seen in chapter V how the British Government maintains diplomatic relations with the tribes and powers inhabiting the borders of the Arabian and Persian coasts and the north and east of India, and have entered into offensive and defensive alliances with them. But if we look at the map of India we see what a great portion of its coast is washed by the waters of the

sea, and if we remember that the Indian Ocean communicates with the Atlantic and Pacific Oceans, over which many seafaring nations hold sway, it will be quite clear that India not only requires armies for its defence but also a strong naval force to protect its coasts. In modern times the command of the sea is the chief factor in influence and in the expansion of trade, and it is due to the superior naval strength of Great Britain that she has territories and dominions distributed over all parts of the globe and is able to protect them. India has a place in the naval defence of the British dominions and it does not, therefore, need any great separate naval establishment. The British ships of war afford to it all the protection that it needs. Consequently there is no necessity for a distinct Indian navy. Nevertheless, India maintains the Royal Indian Marine Department, the duties of which are the local transport of troop and stores, the guarding of convict settlements, the suppression of piracy, marine surveys and the protection of ports. The fleet consists of eleven sea-going vessels, five inland river steamers and many smaller steamers and launches. India contributes fifteen lacs a year towards the upkeep of certain ships of the Royal British navy, and these cannot be employed beyond certain limits without the consent of the Government of India.

14. Another and a very important factor in the preservation of public tranquillity is the  
 Civil Police. Civil Police whose duties are varied, but who are primarily concerned with the maintenance

of the internal peace of the country and the detection and suppression of crime. In most provinces the police establishment is a single force under the local Government, but in Bombay there is a separate police force for each district. The head of this establishment is the Inspector-General of Police who is assisted by one or more Deputy Inspectors-General holding subordinate charge of portions of the Province. The district head officer of the Police is the Superintendent who is responsible for the discipline and internal management of the force, and is subordinate to the District Magistrate. In large districts he is assisted by an Assistant Superintendent or by a Deputy Superintendent of Police. Appointments to the post of Superintendent are made by open competitive examination in England and to some extent by nomination in India or by promotion from the lower ranks, but in the latter case the special sanction of the Government of India is necessary. The grade of Deputy Superintendents is manned by Indians alone.

15. At the head-quarters of each district a reserve police force is maintained under an Inspector, called chief constable in Bombay. This reserve police supplies men for escort, guard and miscellaneous duty, and strengthens the regular force in case of necessity. The reserve receives some training in drill, shooting and police duties.

16. Each district is divided into sections for police purposes. Each section is under an Inspector whose duties comprise general supervision and control of his charge, which is

District Orga-  
nization



again split into smaller areas under a Sub-Inspector, or an officer of that rank with different designations. The Sub-Inspector is responsible for the working of the police under him and himself investigates all cases of serious crime. He is assisted by a staff of petty officers and constables. The Sub-Inspectors are generally recruited direct and the Inspectors by promotion. In certain provinces there are police outposts doing minor reporting and detective work, or guarding the routes of traffic.

17. Each police station has a number of villages under it, and for each village there is a chowkidar or watchman. In places where there is the headman of the village, the chowkidar is generally under his orders. The village watchman's duty consists in reporting crime, arresting offenders, giving aid to the police, maintaining watch over bad characters or suspicious persons, and giving local information. He is appointed by the District Magistrate and in some provinces receives monthly salary from a fund formed by a cess on land or houses and from the revenue derived from the old landed endowments, while in other provinces he is remunerated by allotment of land and payment of fees.

18. The town police is organised on the same lines as the village police. The whole town is divided into a number of police stations with regular duties as to watch and ward and the detection and investigation of all cases of crime. In the Presidency towns and in Rangoon, the



police force is under a commissioner and consists of European and Indian petty officers and constables.

19. The chief duty of the Railway police force is maintenance of law and order and watch and ward over railway property.

This force is under a Deputy Inspector-General of Police and its jurisdiction is conterminous with that of a province, except in the case of the Punjab, where the jurisdiction of the railway police extends to the railway systems in the North-West Frontier province.

20. The functions of the police in connection with crime may be said to be three-fold, *viz.*,  
 Police Functions. (i) detection; (ii) punishment; (iii) suppression. In the first case, they have to investigate all cases of reported crime or complaint and to submit reports to the District officer along with the accused person. In the second, they have generally to conduct the prosecution in the court; while in the third, they have to keep strict vigilance over all suspected persons and ex-convicts, to prevent as far as possible the disturbance of public peace, and to safeguard the persons and property of the citizens. A special department called the Central Criminal Intelligence Department concerns itself with the collection and communication of information regarding such forms of organised crime as are committed by offenders operating along the railway system and by criminal tribes, wandering gangs, organised dacoits, professional prisoners, forgers, coiners and the like. This department is under the control of a Director who is subordinate to

the Home Department of the Government of India. This department works in conjunction with the police force of the whole Empire, including the Native States.

21. The above are the forces employed by the Government for the preservation of public peace, and although defects are still to be found in the last of the forces just described and complaints are heard against the incompetence, supineness or dishonesty of the police, it must be admitted that the Government is doing its best to eradicate these defects and to make the police force a really efficient and useful body. To some extent, these efforts have been successful. Educated and better classes of people are now attracted to the police department and both pay and future prospects have been made more substantial.

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## CHAPTER VII.

### THE PUBLIC HEALTH.

1. While the British Government exerts itself to protect the people from foreign attack and from internal disturbance, it endeavours at the same time to minimise the ravages of disease. In other words, the British Government not only maintains an army, a navy and a large force of civil police to safeguard the people, but it also maintains a strong and efficient army of medical men to combat all natural causes of disease due to ignorance or prejudice, and takes steps to induce the people to learn the laws of general sanitation and to make their lives healthy by following rational and simple methods of living.

2. The department which has charge of the health of the people is known as the Medical and Sanitary Department, and all branches of the public service relating to it come within the scope of its working. The whole Medical Service is divided into five branches:—The Indian Medical Service, Civil and Military Assistant Surgeons, and Civil

and Military Hospital Assistants. The Civil branch of the Medical Service is under a Director-General, and the Sanitary branch is under the Sanitary Commissioner, while the Military medical branch is under the Principal Medical Officer of His Majesty's forces in India. The former belong to the Home Department of the Government of India, the latter being a member of the Commander-in-Chief's staff. The Indian Medical Service is primarily a military service. Persons who possess medical degrees or hold diplomas qualifying them to practise medicine and surgery enter this service through an open competitive examination held in England and, after undergoing a special course of training for four months and passing a second examination, join the army in India. Under ordinary circumstances they have to serve for two years in the Native Army before they become eligible for civil employment. The medical charge of the British army is in the hands of the Royal Medical Corps.

3. Civil Assistant Surgeons belong to the Superior branch of the Subordinate Medical Department. They undergo training for a number of years in one of the four Medical Colleges established in India and, after passing the prescribed examinations, are placed in full charge of the minor hospitals and dispensaries or in subordinate charge of larger hospitals. Some of the appointments held by members of the Indian Medical Service are now reserved for the members of this subordinate service.

4. Civil Hospital Assistants receive their training at one of the many Medical Schools established in the country. They are usually men of inferior professional qualifications and are employed in minor dispensaries and in a variety of subordinate posts.

Hospital As-  
sistants.

5. The Military Assistant Surgeons and Hospital Assistants are men of the same qualifications as those on the civil side and some of the civil appointments are reserved for the former in order to provide a war reserve.

Military  
Branch.

6. In each Province the medical and sanitary administration is controlled by the local Government whose principal advisers are an Inspector-General of Civil Hospitals and a Sanitary Commissioner. In Bombay and Madras the Inspector-General is known by the title of Surgeon-General. In the smaller provinces both the medical and sanitary departments are combined under one officer. Except in Bombay the district medical and sanitary arrangements are in the charge of an officer called Civil Surgeon, who is in the Madras Presidency styled District Medical and Sanitary Officer. He superintends medical institutions and all matters connected with the health of the population. He gives free medical aid to the superior grade of Government servants and performs the medico-legal work of the district. In the Bombay Presidency the Civil Surgeon has mainly to concern himself with duties at head-quarters

Provincial  
Organization.



and with inspection work. The rural hospitals and dispensaries are under the direct control of the Surgeon-General and the sanitary work is supervised by Deputy Sanitary Commissioners subject to the control of the Provincial Sanitary Commissioner.

7. In order to provide efficient, ready and immediate relief to sufferers, hospitals and  
**Hospitals and**      dispensaries have been opened in all  
**Dispensaries.**      important centres of population. The principal hospital is usually situated at the head-quarters of the district and is under the control of the Civil Surgeon, aided by an efficient staff of subordinate officers, and having the best possible equipment of medical and surgical appliances. Branch hospitals and dispensaries are distributed over the whole district at convenient places. An Assistant Surgeon or a Hospital Assistant is placed in charge of these branch institutions. Indians by their very nature dislike to be away from their homes and their friends and relations during illness. Consequently it has not been necessary to provide much accommodation for patients. The majority of people who seek relief from these hospitals and dispensaries are, therefore, out-door patients. Continuous effort is made to improve the hospitals and to provide the best accommodation for the patients, as the number of patients is increasing and the people seem to appreciate the efforts made by the Government. There was a time when people were afraid of going to hospitals and dispensaries, as they attributed the majority of the deaths of patients treated therein to the inefficiency of the



medical staff and to the careless treatment of sufferers, rather than to the fact that the most hopeless cases alone sought relief. This prejudice is now gradually dying out and the hospitals and dispensaries are becoming more and more popular as their usefulness is increasingly evident. The best hospitals in the country are the Presidency hospitals attached to medical colleges. They are provided with the most modern appliances and contain hundreds of beds, and everything is done there to ensure the privacy and comfort of the in-patients. In addition to Government institutions there are a number of private medical dispensaries in all parts of the country extending their operations of relief to all classes of people. Private medical practitioners and the indigenous Vaidyas and Hakims also co-operate in this humane work of saving life and of alleviating its miseries. But the most difficult problem in this connection has been the relief of women who, according to the customs of the country, are expected to live in seclusion and are, therefore, disinclined to go to dispensaries or to place themselves under the treatment of male members of this noble profession. Lady Dufferin, when she was the Vicereine of India, took up this question and founded in 1885 the "National Association for supplying medical aid to the women of India." It is due to the efforts of Lady Dufferin and of this Association that nearly two hundred and sixty hospitals, wards and dispensaries for the exclusive use of women have been opened and arrangements made to secure their privacy. Besides this the education and

training of lady doctors and Indian midwives have been specially attended to. Lady Curzon in 1901-02 collected some seven lacs of rupees for the latter purpose, *viz.*, the training of *Dais*, and the scheme is now in full working order. In addition to these important works, Lunatic and Leper Asylums are maintained, and Pasteur Institutes have been opened for the treatment and cure of bites by rabid animals, while medicines for malarial fever and snake-bites, etc., are freely and largely distributed.

8. These are, in short, the efforts which the British Government makes in India to save the lives of the people, but it is not to the cure of disease and to the alleviation of pain alone that the Government devotes itself. It is said that prevention is better than cure, and consequently while the Government does not neglect the cure it pays particular attention to prevention. Scientific discoveries have made it evident that certain diseases which used to work havoc among the people can be prevented, if not absolutely, at least to a very great extent. For this reason the efforts of the Government are twofold. While taking those steps which have been scientifically proved to be most effective in preventing the spread of certain diseases, the Government maintains laboratories and other scientific institutions to study the causes of diseases most prevalent in India and to endeavour to discover antidotes for them and to eradicate them altogether. In connection with the first of these objects may be mentioned the attempts made to improve the

general sanitation of towns and villages, including the provision of a pure water-supply and the improvement of the drainage and conservancy systems, and the introduction of vaccination and inoculation for certain epidemic diseases.

9. Out of every hundred people living in India more than ninety live in villages, and less than ten in towns. The question, therefore, of rural sanitation is of great importance. Much of the improvement in sanitation, whether in towns or villages, depends upon the people themselves. Prejudice and ignorance are the chief obstacles which stand in the way of the people of India giving up insanitary habits and customs and adopting those that will bring them good health. From a sanitary standpoint a village may still be described as often containing ill-ventilated and over-populated houses, dirty places crowded with cattle, choked with rank vegetation and poisoned by stagnant pools and polluted tanks which are indiscriminately used for bathing, cooking and drinking. It is difficult to do much to remove this state of things. The only remedy lies in the proper education of the people so that they may be made to realize the dangers of such unhealthy surroundings and the advantages of better sanitary conditions. The Sanitary department has, therefore, issued leaflets from time to time containing simple rules of village sanitation and the Education department makes provision for teaching the rudiments of hygiene in the village schools. These efforts, combined with the knowledge of improved

sanitary conditions in the municipalities, are producing good effect, and the rural population is becoming more and more alive to the importance of sanitation. District and local boards have, however, been formed and are charged with the duties of carrying on simple sanitary cleansing operations and of constructing or repairing streets, tanks, drains and wells.

10. The sanitation of towns is intimately connected with the administration of municipalities. Different Acts have been passed from time to time to effect better sanitation of towns and better management of the municipalities. At the present day the Municipal Acts cover practically all matters connected with the health of the Indian town population, such as water-supply, drainage, conservancy, sewage, nuisances, the cleansing of streets and open places, the improvement of insanitary dwellings, offensive trades, burial and burning grounds, markets, slaughter houses and the sale of unwholesome food. Of these items those of primary importance are sewage and water-works, and it is satisfactory to know that great progress is being made in these directions.

11. Measures in connection with the outbreak of epidemic diseases form an important part of the work of the medical and sanitary department. Whenever any outbreak of a serious nature takes place, special officers are deputed to tend the sick, to supervise effective precautions, to investigate the cause and history of the epidemic, and to ascertain how far it may be prevented

in future. Take, for example, plague, which has been working havoc among the people of India. The Government has tried different methods to combat the spread of this epidemic, and as soon as an outbreak is reported all possible precautions are taken, and people are urged to help in carrying them out. A special staff of medical men is always engaged in the study of this disease and Doctor Haffkine has discovered a serum which has proved a good preventive.

12. Government has also adopted an accurate system of registering vital statistics. This, if carefully done, will enable the Government to know exactly the progress or decline of certain diseases. Unfortunately the registration has not hitherto been satisfactory. It has now been made compulsory both in the case of births and of deaths. The father and mother of a new-born child, and nearest relative or other person present at the death of a deceased person, are responsible for reporting the occurrence to the registration office.

13. These are the steps which the Government takes with respect to the health of the vast population of India, and the attempts of Government are slowly but surely securing the co-operation of the people.

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## CHAPTER VIII.

### THREE OTHER FEATURES OF BRITISH ADMINISTRATION.

1. In this chapter we propose to deal with three important factors of an educating and civilizing nature. They are education, local self-government and public works. The functions of a Government do not end with the provision of efficient machinery for administration and for protecting the persons and property of the people in its charge. The most important duty of the Government is so to educate and improve them that they may become good citizens of their country and of the Empire to which their country belongs. If left to themselves the people would make but little improvement, but if properly guided and helped they may be expected to make steady progress. In fact, a good Government may well be compared to the parents of a child, who not only control and protect it, but take steps to see that in course of time the child may grow up to be a young man of character and ability, a credit to his parents and a useful member of society. The British Government of India has, as we shall see further on in this chapter, provided many means of educating the Indian people so that they may



become useful citizens. We shall take up separately each of the three items mentioned in the opening lines of this paragraph, and study the details of the machinery employed.

### *Education.*

2. The educational activity of the Government of India may roughly be divided into three parts:—Vernacular education, High education, and Technical education. The history of education in India up to the year 1853 shows but little organised effort on the part of the Government and practically no co-operation on the part of the people. In 1854, Lord Halifax, the then president of the Board of Directors in England, addressed a despatch to the Governor-General of India in which he declared that the policy of the Directors was to afford encouragement “to the more extended and systematic promotion of education in India.” Prior to this memorable despatch there had arisen a great controversy as to whether Oriental or Western learning should be paramount among the Indian people, and as to whether English or some Indian language should be the medium of instruction. The controversy lasted a long time and the best intellects were arrayed on either side. Finally the Government of Lord William Bentinck, in a resolution, dated the 7th March, 1835, formulated the official views on the subject, *viz.*, that English should be the medium of instruction and that Western learning must occupy a conspicuous place in the curriculum. After

History of educational activity.

this came the memorable Education Despatch of Lord Halifax in 1854, which laid down the principles on which the whole fabric of education in India has since been built. In both these documents it was clearly foreseen that as a means of educating the Indian masses English laboured under many disadvantages, and in this Despatch it was laid down that the masses could best be educated through the medium of the Vernaculars. The Court of Directors laid emphasis on this point in the following words :—

“In any general system of education, the English language should be taught where there is a demand for it, but such instruction should always be combined with a careful attention to the study of the Vernacular language of the district and with such general instruction as can be conveyed through that language, and while the English language continues to be made use of, as by far the most perfect medium for the education of those persons who have acquired a sufficient knowledge of it to receive general instruction through it, the Vernacular languages must be employed to teach the far larger class who are ignorant of, or imperfectly acquainted with, English.”

3. This policy has since been adhered to. The Vernacular primary education. education of the masses is confined to the imparting of instruction through the medium of their recognised Vernaculars, and English is used in Anglo-Vernacular schools and in colleges. The Government feels that it owes special attention to the Vernacular education of the masses

and this desire has been affirmed and reaffirmed from time to time, but unfortunately the results have not been altogether satisfactory. The question of making primary education compulsory and free is now engaging the attention of the Government of India.

4. A large majority of primary schools are managed by municipalities and district boards or by private agencies, a very small portion being under Government control. Private schools generally conform to the regulations of the Education Department and receive grants-in-aid.

5. The Vernacular secondary school course is a continuation of the primary course and completes the education of boys who do not aspire to an English education. It usually covers a period of three years, but is not very popular as it affords a less ready opening for employment.

6. The Government takes a larger share and English schools. municipal and other boards a smaller share in the conduct of English schools than in that of Vernacular schools, but in all the larger provinces the majority of English schools are under private management. The experiment of placing English schools under the sole control of district boards has lately been tried in the United Provinces and has proved a failure. The present policy of the Government in regard to these schools is to give grants-in-aid to those which conform to Government regulations, and to establish model schools in each district.

7. The study of English begins after sufficient instruction in the Vernacular has been given. It generally begins when the boys have reached the upper primary stage. The English secondary stage may roughly be divided into the Middle and High school sections, the two highest school classes—leading to the Matriculation or an equivalent examination—forming the High Section, the four or three lower classes belonging to the Middle Section. For some time the different Education Departments held a number of examinations for different stages in a boy's school career. But it was found that the immediate effect of so many departmental examinations was to neglect sound methods of education and to concentrate attention on the cramming of material for use in the examination. These examinations have now been abolished and the only public examination which an English school student has to undergo is the Matriculation or an equivalent examination conducted by one of the five Universities in India. The course of the Matriculation examination has been more or less literary, and it was felt that a new examination with some modern course, fitting boys for industrial or commercial schools, was much needed. Consequently, a School Final examination was instituted which supplies this want, and under varying names this examination is still held. The final examination at the end of the school course is conducted either by the University or by the Education Department.

8. The Matriculation or an equivalent examination is considered indispensable for admission into colleges and into Government service. This examination is the door to the University course which leads to a degree examination. The Universities—consisting of a body of educational experts who have charge of higher education—are formed in accordance with the Acts of incorporation. There are five Universities in India, situated in Calcutta, Madras, Bombay, Allahabad and Lahore, respectively. The government of each University is vested in a Chancellor, a Vice-Chancellor and a Senate, and their regulations are subject to the sanction of the Government. The Governor-General is Chancellor of the Calcutta University. Elsewhere the head of the Government of the Province is the Chancellor. The Vice-Chancellor is nominated by the Chancellor and holds office for two years. A Judge of the High or Chief Court is frequently appointed Vice-Chancellor, and in some cases educationalists of experience and reputation have also held that office. Originally the Senates were composed of fellows especially qualified to advise on educational matters but fellowships began to be bestowed more as a compliment than for any special qualification. This practice increased the number of fellows to an unmanageable extent and destroyed to some degree the utility and efficiency of the Universities. Consequently the Indian Universities Act of 1904 reduced the number of fellows and restricted fellowships to persons qualified to assist in the control of higher education. Fellows



are now appointed by the Chancellor or elected by the faculties. In Calcutta, Bombay and Madras a certain number of fellows are also elected by qualified graduates, but this privilege has not yet been extended to the graduates of the Allahabad and Punjab Universities. Previously the Universities, which were modelled on the University of London, were merely examining bodies, but the new Act provides that they shall be teaching as well as examining bodies, exercising a closer control over affiliated colleges. The executive management of the University lies in the hand of the Syndicate, which consists of the Vice-Chancellor and a small number of fellows. Each fellow of the University is assigned to one of the faculties and except in Bombay there are Boards of Studies which recommend text-books and courses of study.

9. The territorial jurisdiction of each of the five Universities has been definitely settled. **University Life.** and all colleges situated within a particular area must be affiliated to the University situated within that area and not to any other University. Colleges are divided into first and second grades. Those which teach up to a degree examination are first grade, while those which teach up to an intermediate course are second grade. Unlike the Universities of Cambridge and Oxford the colleges in India are scattered over a wide area and there is, therefore, no corporate University life in India to exert its healthy influence over the students. Apart from this, most of



the students attending colleges are only day scholars, a small minority only being residential students. But greater stress is now laid on boarding houses and hostels, and it is hoped that an increase in the number of boarding houses will help to remove the defects of non-residential college life outside the control of the University.

10. The University course in India comprises degrees in Arts, Science, Law, Medicine and Engineering. In the United Provinces there is at present no medical college, but it has been decided to open one at Lucknow, sufficient funds having been subscribed for buildings and equipment and the Government having undertaken to maintain it. The engineering college at Roorkee is a University in itself, performing the functions both of teaching and of examining. In all other Universities the engineering and medical colleges are affiliated to the University.

11. In addition to these general courses of study definite provision is made for the education of special classes of people, such as Muhammadans and Europeans, and the question of female education is now being carefully studied by the different Education Departments. In addition to this, chiefs' colleges have been opened at Ajmer, Rajkot, and Lahore with the object of fitting young chiefs and nobles physically, morally and intellectually for the responsibilities that lie before them.

12. Special institutions have also been established for various branches of technical training, such as industrial schools, schools of art, commercial and technical institutions, and colleges for the study of engineering, agriculture, medicine and law.

Technical Education.

13. The establishment of industrial schools is of great importance for the development of the industries of India, but unfortunately those at present existing are not sufficiently utilised by students of the proper class, and even those who have received training in such schools prefer to swell the army of clerks rather than to follow the trade they have been taught. The attention of the Government has been drawn to this state of affairs and attempts are being made to reform these schools on suitable lines. The subjects most commonly taught in the existing industrial schools are carpentry, smith's work, shoe-making and tailoring, less commonly taught subjects being metal work, weaving, carpet-making, masonry, candle-making, cane-work, gardening and various other trades.

Industrial Schools.

14. There are Government Schools of Art at Calcutta, Madras, Bombay and Lahore, respectively. They are institutions rather for the study of arts and crafts than for fine-art. The artistic genius of India has found expression chiefly in architecture and in the production of articles of beauty for domestic use, and the most important function of art schools is to maintain,

Schools of Art.

restore and improve this application of oriental art to industry and manufactures. The Madras school, which was opened in 1850, comprises two branches : the artistic, in which drawing is taught in all its branches, and the industrial, in which instruction is given in metal work, the art of the silversmith, the jewellers' craft, cabinet making, carpet-weaving, cotton-weaving, pottery manufacture, engraving and modelling. In Bombay instruction is given in drawing, painting, sculpture and iron-work, and in the Reay workshop attached to the Bombay school the following crafts are taught : gold and silver work, enamelling, carpet-weaving, wood-carving and ornamental copper, brass and iron work. The recent orders of the Government point to specialization of a limited number of arts and industries in these schools and restrict the free admission of students and the distribution of scholarships.

15. There are engineering colleges in Madras, Bombay, Bengal and the United Provinces. They train students for the various branches of the Public Works Department and for employment under municipal and other boards as well as for private industrial concerns. The best colleges are at Shibpur and at Roorkee.

16. India is an agricultural country and it is necessary that proper arrangements should be made to give instruction to the land-holding classes in the science and art of agriculture. For this purpose there

Engineering  
Colleges.

Agricultural  
Colleges.

is a central agricultural college at Pusa with an agricultural research institute and an experimental cultivation and cattle-breeding farm. In addition to this there are agricultural schools in Madras, Bombay, the United Provinces, and the Central Provinces.

17. Until recent times little attention was paid to commercial instruction, but with the commercial development of India more and more attention is now being paid to it in the way of opening commercial schools and colleges and of providing commercial courses in the existing system of general instruction. In the United Provinces a new examination called the School Leaving Certificate examination has been recently instituted and the optional subjects offered to the students include commerce, agriculture, manual training and drawing. This examination is intended to meet the want of elementary training for those boys who desire to join technical colleges for higher study.

18. In addition to these technical institutions there are four medical colleges and twenty-two medical schools, training junior medical officers and hospital assistants and preparing every year qualified men who engage in private practice.

19. The system of legal instruction varies in different provinces. In some there are centralized law schools, while in others law classes are attached to

Arts Colleges. But it has been found that the latter do not provide efficient training in law, and the present policy of the Government in this connection is to have central law colleges attached to each of the Indian universities.

20. We have so far described the several branches of instruction provided by the Government, but in order to impart efficient instruction according to the latest and most approved methods the teachers must be properly trained for educational work. Without efficient teachers it is idle to expect thorough teaching, and arrangements have been or are being made in the different provinces to establish well-equipped training colleges for all grades of teachers. In the existing training colleges instruction is given to pupil teachers in organization, method, school management and the history, principles and practice of education.

21. These are the direct efforts of the Government in the matter of education. The indirect results achieved by the Education department are no less valuable. The growth of journalistic and literary activity among the people of India is remarkable in the number of newspapers, periodicals, pamphlets and books produced year after year, and although much of the work is unimportant, modern India has given birth to able journalists and authors. Among the subjects of printed books religion is conspicuously prominent, poetry and the drama take the second place and then, in order, language, fiction,



history, biography, medicine, law, mathematics, mechanics and philosophy. Some of the richest Aryan Vernaculars are Gujrati, Marathi, Bengali and Urdu. Hindi has a rising literature and some of the works produced in Hindi are an acquisition to the language. It is unfortunate that instead of confining efforts to the principal Vernaculars attempts are being made by some enthusiasts to develop the principal dialects also.

22. The entire educational activity of the Government is under a Government officer known as the Director of Public Instruction in the principal provinces and as Inspector-General of Education in the minor provinces, and the Home Department of the Government of India, on which falls the duty of supervising and co-ordinating educational activity throughout the country, is now assisted by a Director-General of Education for India. In each province there is a staff of Inspectors, Assistant Inspectors, Deputy Inspectors and Sub-Deputy Inspectors who are chiefly concerned with inspection and supervision work. The entire educational service is divided into Indian, Provincial, and Subordinate branches. The Indian Service is mainly recruited from graduates of the Universities of the United Kingdom and its members are employed as Inspectors of schools, as Principals and Professors of colleges and as Head Masters. The provincial and subordinate services are recruited in India and the appointments range from Inspectors and college Principals to teachers in primary schools.

*Local Self-Government.*

23. It is natural that with the spread of education should come the desire among educated people to participate more and more in the administration of their country.

**Advantages of  
Local Self-Gov-  
ernment.**

It is in the interest of the good government of a country that the people should feel themselves as a part of the Government and should acquire that practical and political knowledge which is so necessary for their intelligent and harmonious association with the rulers in effective administration. There are certain branches of administration which cannot be properly carried on without the co-operation of the people. This was realised in the very beginning of the British rule and a beginning was made in the Presidency towns as early as 1687, but for a long time the co-operation of the people was meagre. As measures of local self-government these early attempts did not, therefore, go far, but they were of great service in improving the sanitary condition of towns. After 1870, however, it was realized that local interest, supervision and care were necessary to success in the management of funds devoted to education, sanitation, medical charity and local public works, and steps were taken to afford opportunities for the development of self-government, for strengthening municipal institutions and for the association of Indians with Europeans. Acts were passed to carry out this policy which widened the sphere of municipal usefulness and extended the elective principle, but there was little practical result. Lord

Ripon, who took a keen interest in the development of local self-government as a means of political and popular education, further extended it and the inhabitants of both town and country were given a more real and important share in the management of local affairs than they had hitherto possessed. The elective system was widened, and independence and responsibility were conferred on the committees of many towns by permitting them to elect a private citizen as chairman in place of the official chairman. Lord Ripon further laid down the principles on which municipal administration was to be carried on and developed, those principles holding good to the present day.

24. The municipal government of towns, by which **Municipal** is meant their administration by non-Boards. official bodies of citizens within defined limits, is vested in a body corporate composed of Municipal Commissioners (called Municipal Councillors in Bombay and Madras) who have the custody of the municipal funds and property. The latter comprises public buildings, streets, sewers, drains, tanks, wells, other sources of water supply, markets and slaughter houses. In the great majority of municipalities some of the members are elected, the remainder being appointed by name or office under the orders of the local Government. The proportion of elected members to Government nominees is fixed by law, varying from one-half to three-fourths, but the local Government has power to declare the non-application of this provision of the law to any particular municipality. The rules of election

are framed by the local Government in accordance with the provisions of the Acts and representation in the larger municipalities is generally by wards or classes of the community or both. Voters must be residents not below a specified age, and property or status qualifications are generally laid down. Municipal members hold office for three years. In some cases the members elect their own president but more often he is nominated by the local Government. The principal servant of the Municipality is a paid Secretary.

25. Municipal duties are classified under the **Municipal Duties.** heads of public safety, health, convenience and instruction. As a rule the following duties are obligatory on all large municipalities : lighting, watering and cleansing public streets and places ; abatement of public nuisances, protection against fire, regulation or abatement of offensive or dangerous trades or practices ; removal of obstructions in public streets and places ; securing or removing dangerous buildings ; reclamation of unhealthy localities ; disposal of the dead ; construction and maintenance of public streets, culverts, boundary marks, markets, slaughter houses, latrines, drains, sewers, drainage and sewage works, baths, washing places, drinking fountains, tanks, wells, drains and the like ; water supply ; naming streets and numbering houses ; public vaccination and the supply of animal lymph ; dispensaries ; primary education ; measures of precaution and relief during visitations of epidemic diseases, and of relief during periods of famine or scarcity. In addition to these duties

there are certain other functions such as the provision of new streets, public parks, gardens, libraries, museums, halls, offices, rest houses, etc., which are not obligatory but which municipalities may perform according to their means and necessity. In order to enable them to carry out all these duties they have been vested with powers to enforce obedience to their orders.

26. The policy of the Government is to substitute **Government Restrictions.** outside control for inside interference in municipal affairs. This control is exercised through the Collector of the district and the Commissioner of the division. The latter may inspect any municipal work or record and, subject to Government confirmation of his orders, may restrain a municipality from performing any act which is unlawful or is likely to cause a breach of the peace or injury or annoyance to the public. The Government may provide for the performance of any duty which the municipal members neglect and may suspend them in case of incompetence, default or abuse of power. It is laid down that certain actions of the municipalities require the sanction of the Commissioner or of the Government before being carried out.

27. In addition to the Government contribution **Municipal Income.** the principal sources of the income of municipalities are octroi, taxes on houses and lands, animals and vehicles, professions and trades, tolls on roads and ferries, and water, lighting and conservancy rates. Octroi is levied only in the Punjab, the United Provinces, the Central Provinces and Bombay.



In order that this tax may not degenerate into a transit duty and thus injure the trade, careful precautions are taken to limit the tax to articles actually consumed in the town. The list of dutiable articles contains only staple commodities of local consumption ; goods in transit are allowed to come to the town and arrangements are made that only such portions of them are taxed as are used in the town. These arrangements are of two kinds : either the duty levied is refunded when the goods are sent out again, or the goods are kept in warehouses and only such portions of them are taxed as are sent to the town. Subject to special exceptions, municipalities are debarred from levying a tax on articles from which the Government raises a revenue, such as salt, opium, mineral oils, etc., and limits are fixed as to taxation on certain articles on which custom duties have been paid. The other forms of taxation require no special mention. It is sufficient to understand that if the residents of towns wish to enjoy all those advantages which the municipalities can confer, they must tax themselves in some form or other to supply them.

28. While the functions of the municipal boards are restricted to the limits of the District Boards. town to which they belong, the district boards are charged with the maintenance and improvement of the means of communication in the whole district outside municipal limits. Other important functions which they perform for the whole district are the maintenance of hospitals and dispensaries, the provision of drainage and water supply, general sanitation,

vaccination, education, the charge of pounds and ferries, the construction and upkeep of markets, rest-houses, and other public works, and the relief of the population in times of famine.

29. In certain provinces there are also sub-district boards which are generally known as local boards. They are the subordinate agents of the district boards and are entrusted with certain branches of local expenditure for which they receive allotments of money.

30. The constitution of the district and local boards varies in the different provinces. In some provinces the elective principle has been introduced to a limited extent, while in others the members are appointed by the Government. In fact the elective principle is less developed in the case of district and local boards than in the case of municipalities. Generally, the Collector of the District is the Chairman of the district board. Members of district and local boards hold office for three years.

31. The chief source of income of the district boards is the land cess which yields nearly 60 per cent. of their total income. This cess is levied for certain local objects, such as roads, schools, dispensaries, etc., on a certain fixed proportion to the rent or revenue. Other sources of income are receipts from pounds and ferries and fees from educational and medical institutions.

32. A third form of local self-government exists in important towns on the sea coasts, viz:—Calcutta, Bombay, Karachi,

Port Trusts.

Madras, Rangoon and Chittagong. A body corporate consisting mainly of the representatives of the commercial communities in each of these places forms the Port and Harbour trust and is charged with the provision of suitable dock accommodation and other necessary services to shipping. Each of these trusts is under a chairman appointed by the Government. The chief sources of income of these trusts are dues on shipping and goods and fees for services rendered.

33. In these three different forms the Government seeks the co-operation of the people in the management of certain branches of administration and thus indirectly gives them political training befitting them for higher administrative control and creating in them a sense of right and duty.

#### *The Public Works Organization.*

34. The organization and resourcefulness of the Public Works department are object-  
**Advantages of the Department.** lessons in themselves. While ministering to public convenience and commercial needs, this department indirectly exerts educating influence over the social and public life of the Indian people and produces far-reaching effects. Railways, telegraphs and post-offices have almost annihilated distance and have enabled the people to carry on trade with all parts of the country and even with distant portions of the British dominions, and have brought them into contact with other minds and other faces. In addition to these important advantages the operations of this department extend to

other fields of public good, such as irrigation facilities, public buildings and the like.

35. Public works fall naturally into three classes: Buildings and buildings and roads, irrigation, and roads. railways. Military as distinct from civil works make a fourth class, but this is now separately administered as has been explained in the chapter on *Public Peace*. Under the head of civil buildings come schools, hospitals, public offices, jails, museums and courts of law, etc. In both the Hindu and Moham-  
medan periods of Indian history public buildings were constructed more with the idea of decorating the important towns of the kingdoms than with the object of public utility. No doubt the principal buildings which exist to this day are the wonders of the world, for example, the Kutab Minar at Delhi, the Taj at Agra, the ruins of Bijapur, the rock-cut temples of Ellora and Ajanta and the palaces at Agra and Delhi. Scarcely a building constructed under the British Government can surpass them in beauty, architectural design and solidity. But when compared with the civil buildings of the British Government, from the standpoint of public utility and convenience, they appear more as objects of admiration than of use. In the case of roads it may be mentioned that before the advent of British rule the only means of carrying goods from one part of the country to the other was by roads and rivers. Consequently the Mohammedan rulers of India concerned themselves with the marking out and guarding of the routes most used by the caravans. But roadways in the modern sense

were practically unknown. The British rulers of India realized the advantages of good roadways and undertook their construction and repair. The principal roads of India at the present day are of good quality, being carefully aligned, provided with broad metalled surfaces, substantial bridging or suitable ferries and well-grown trees.

36. Most roads have avenues of trees planted along them, and although it is no longer necessary to build chowkidari huts on the main routes, it is usual to provide rest houses and *serais* for travellers along roads on which the amount of traffic justifies the expenditure. All these roads and public buildings are properly maintained and repaired and, except in some places, no tolls are levied.

37. The object of irrigation works is the artificial application of water to the land for purposes of agriculture as a means of supplementing the natural rainfall. This is absolutely necessary in a country like India in which the majority of people are dependent for their livelihood on the output of cultivation. The climatic condition of India is so uncertain that irregular rainfall frequently produces actual scarcity or famine conditions, and successive Governments in India have made every effort to supply artificial help. In 1901 the Government appointed a Commission to consider the whole question of irrigation and to make recommendations for the further extension of State irrigation works. Irrigation works may be conveniently divided into three great types, namely, lift, storage and river works, which are respectively



represented by wells, tanks or reservoirs, and canals. In lift irrigation the water is raised from a lower level to that which will command the area to be irrigated, the raising being effected either by manual labour or by animal or mechanical power. Storage works are reservoirs formed by the construction of drains across drainage lines for the purpose of storing, for subsequent use during long breaks in the rains or in seasons of drought, the supply which passes down after every heavy fall of rain. River works generally consist of canals, drawing their supplies from rivers which are in continuous flow during the whole or the greater portion of the year.

38. Perhaps no other branch of public works

#### Railways.

organization has caused so great a revolution in social or religious ideas and in public education, besides affording very extensive commercial facilities, as the railway systems of India. Some of the railways belong to the Government or to Native States, while others have been built by companies under the guarantee system, *i.e.* on the Government undertaking to assure a certain rate of interest or an annual subsidy. In the beginning the guarantee system was adopted, but it fell into disrepute and the Government thought that railways could be more cheaply constructed and more economically worked by the direct agency of the State, while money could be borrowed at a lower rate than was paid under the guarantee. The railways of India are built on two distinct gauges, known as the broad gauge and the metre gauge. The

broad gauge is 5 feet 6 inches in width as it was thought a narrower gauge would be inadequate against cyclonic storms so frequent at certain seasons of the year. This is now the standard gauge for railways in India, but proposals were subsequently made for a narrower gauge as the financial condition of the country demanded some cheaper form of construction, and it was decided to adopt a narrower gauge for lines of secondary importance, on the understanding that such lines were only a temporary expedient and were to be of the lightest and most economical description consistent with safety and with the necessary degree of permanence. The gauge adopted for these lines was of 3 feet  $3\frac{2}{3}$  inches and is known as the metre gauge. For thinly populated areas and for short lines of purely local importance a gauge of 2 feet 6 inches, and in some cases of even 2 feet, has been adopted.

39. The constitution of the Government of India in relation to the functions of this department has already been described. In all the larger provinces, namely, Madras, Bombay, Bengal, the United Provinces and the Punjab, there are separate chief engineers for (a) irrigation and (b) roads and buildings, the railway branch being now in charge of a Railway Board under the Government of India. This division of functions extends also to the Engineering staff in the districts of the United Provinces and the Punjab, while in other provinces the same staff is responsible for both branches. Each province is divided into Public Works divisions which comprise

Organization  
of the Department.

single civil districts or portions or groups of districts. As a rule the Buildings and Roads divisions in the United Provinces and in the Punjab cover the largest areas. The separate canal divisions are, however, much smaller in these provinces, as they need careful and individual attention. Each division is in charge of an Executive Engineer who is responsible for the upkeep and improvement of all works within his charge, as well as for the preparation of estimates for repairs and construction and for the execution of contracts for supply of labour and material. Executive Engineers have under them Assistant Engineers and a staff of Subordinate Engineers, Supervisors and Overseers. Five or six divisions are grouped into a 'circle' in charge of a Superintending Engineer whose duty is to scrutinize all important estimates and to inspect all works and projects in his circle.

40. Intimately connected with the branches of the Public Works Department as agencies for the development of trade and commerce may be mentioned the Postal and Telegraph departments. These departments work hand in hand and the functions of one could not, in fact, be properly discharged without the help of the other, and *vice-versa*. A trader cannot send his communications to other parts of the Empire without the help of the Postal and Telegraph departments, and the Postal department cannot easily send its bags of letters, packets and parcels without the railways, while the latter cannot be worked with safety without the co-operation of the Telegraph

department. Thus it will be seen that all these branches of administration are intimately connected.

41. In addition to these general complementary functions the Post Office is mainly concerned with the conveyance and delivery of letters, post-cards, newspapers, books, pattern packets and parcels. In order to insure delivery of all kinds of articles and to fix the responsibility of so doing on the Postal department, all articles carried by the Post Office may be registered or insured for a nominal fee. Articles may also be sent value-payable, money orders are remitted through the Post Office and money may be deposited in the Savings Bank branch of this department, a fixed rate of interest being allowed on all deposits. The postal department also carries letters and packets, etc., to foreign countries and has thus facilitated communication between them and India.

42. The Telegraph Department sends communications from place to place at fixed rates and can even send money orders for any amount to distant parts of the country.

43. Each department is under a Director-General and the provincial heads of the departments are the Inspectors-General who have under them a staff of Inspectors and Telegraph or Post Masters.

44. The advantages of these departments cannot be overestimated. Sir William Lee-Warner speaks of them in the following words : —

Advantages of  
these Depart-  
ments.

“ Can any one who thinks of this vast network of communication between citizen and citizen, between province and province, and between India and the world beyond it, entertain any doubt as to its influence as a means of education? Something true or false is being diffused through the people by means of the millions of letters and packets carried by Post and Telegraph. Idle rumours are dissipated by an electric flash and the first lesson which every nation and every individual must learn for himself is being taught, namely the lesson not to believe without thought all you hear or all you read. The human faculties of intelligence and discretion are thus kept in exercise and the waters of village society which for centuries have run so still, are ruffled by the constant coming and going of the postman. Any one who has heard the jingle of the Dakwalla's bells, waking the silence of the deep forests of Canara and scaring away by the strange sound the wild beasts of the jungle, must have felt that the postman is a new and powerful influence in the land.”

## CHAPTER IX.

### THE PUBLIC PURSE.

1. Our survey of the British administration of India

**Budget.** will not be complete without an account of its income and expenditure.

It needs no argument to emphasise the fact that the accounts of so vast a country as India, with its manifold sources of income and many heads of expenditure, will be intricate and extensive. The Government every year prepares a statement of its income and expenditure in the form of a budget which is placed before the Imperial Legislative Council and is explained by the financial member of the Government of India. The financial year of the Government begins on the 1st of April every year and ends on the 31st of March of the year following. The budget embodies statements of income and expenditure under all heads. Let us take, for example, the budget for 1908-09. This will contain the actual income received and expenditure incurred in 1906-07, the estimated income for 1907-08 and the revised estimates for the same year, together with the probable income and expenditure for the coming year 1908-09. As the budget is presented in the month of March, before the year is out, the actual income and expenditure for that year cannot be ascertained and this necessitates



the revision of the estimates made in the previous year. For example, suppose the Government estimated in March 1907, that the income under a particular head, say "Customs," was likely to be Rs. 10 lacs in the year 1907-08. Now, when estimating the probable income under the same head in March 1908, for the purposes of the year 1908-09, the Government is not in a position to know what the income will finally amount to for the year ending March 1908. But it knows the income for the last nine months and can estimate approximately how much is likely to be received in the remaining quarter, and so under the revised budget it estimates Rs. 12 lacs. With this knowledge and with information as to what is likely to happen in the coming year an estimate is made for the year 1908-09. The following table will make this clear :—

Head of Income.	Actual for 1906-07. In lacs.	budget for 1907-08. In lacs.	Revised budget for 1907-08. In lacs.	Estimate for 1908-09. In lacs.
Customs, Rs.	9	10	12	15

2. It is in this form that the budget is prepared both for income and expenditure and the causes of increase or decrease are explained. The budget of the Government of India contains accounts for the whole Empire. Exactly on these lines the budgets of provincial Governments are prepared and submitted to local Legislative Councils where such bodies exist. These budgets are then published for general information, in

order that the tax-payer may know what becomes of the money which is received by the Government on his behalf. Let us now take into consideration the chief sources of Government income and expenditure.

3. India is an agricultural country, more than

90 per cent. of the population being

**Land Revenue.**

rural and subsisting by agriculture.

It is, therefore, natural that the greatest source of Government income should be land revenue. There are generally two systems of landholding in India, the Zamindari and the Royatwari. When the revenue is imposed on an individual or community owning an estate and occupying the position of a landlord, the assessment is known as Zamindari; and when the revenue is imposed on individuals who are the actual occupants or are accepted as representing the actual occupants of holdings the assessment is known as Royatwari. The former of these systems prevails throughout Bengal, the United Provinces, the Punjab and the Central Provinces; and the latter in Bombay, Madras, Assam and Burma. About 53 per cent. of the land revenue assessment of British India is Zamindari and 47 per cent. Royatwari. The assessment is of two kinds. In some parts of the Empire it is permanently settled and in others it is only temporary, commonly lasting for thirty years. The permanently settled parts of British India are one-sixth of Bengal, one-eighth of Assam, one-tenth of the United Provinces and a quarter of Madras. Thus about one-fifth of the area of British India is permanently settled, about four-fifths being under temporary settlement.

4. The income under the head of tribute is in lieu of obligations to supply or maintain troops.

**Tributes.**

5. The forest revenue is almost entirely derived from the sale of timber and other forest produce. The Government policy is to preserve and improve this valuable source of wealth rather than to derive from it an immediate large income.

**Forests.**

6. The poppy is grown in India for the manufacture of opium for export to China and other countries and for consumption in India. Revenue derived from exported opium is credited under the head "opium" and that derived from the opium consumed in India, under the head "excise." The principal sources of opium are first, Behar and the districts of the United Provinces lying along and in the north of the Gangetic valley; and second, a number of Native States in the Central India and Rajputana agencies, principally Indore, Gwalior, Bhopal, Mewar and Baroda. The produce of the first region is known as Bengal opium, and that of the second region as Malwa opium. The income under this head is very precarious and it is showing a steady downward tendency. In fact, it is the desire of the Government to cut down and limit the production of opium as far as possible.

**Opium.**

7. All salt consumed in British India is subject to duty at the rate of Re. 1-8 per maund.

**Salt.**

The principal sources of Indian production are the salt range and Kohat mines in the Punjab and the Frontier province; the Sambhar lake and other

salt sources worked in Rajputana; the salt soil brines on the borders of the Lesser Rann of Cutch; and the sea salt factories on the Bombay and Madras coasts and at the mouth of the Indus.

8. The excise revenue is derived from intoxicating liquors, hemp drugs, and opium consumed in the country and is levied in the form of duty for manufacture and fees for licences to sell.

9. The customs revenue is mainly derived from general import duties, certain special import duties such as those on arms, liquor, sugar and petroleum, and an export duty on rice.

10. The receipt from assessed taxes consists entirely of the general tax on the non-agricultural incomes above Rs. 1,000 per year. This is known as Income-tax.

11. Provincial rates, which exclude municipal taxes, are levied chiefly for the construction and repair of roads, the upkeep of schools and dispensaries, village sanitation and local expenditure. They are generally assessed on the annual rent value of land, which is calculated in different provinces according to the nature of the prevailing system of tenure.

12. Stamp revenue is derived from judicial or court-fee stamps and from non-judicial or revenue stamps. The judicial stamp revenue may be regarded in the light of payment for

services rendered by the costly judicial establishment, rather than as a tax in the proper sense of the word.

13. The income under the head of Registration consists of the fees for the registration of instruments, principally deeds of mortgage.

14. These are the principal and direct sources of Government revenue. But it must be understood that large sums have to be spent as collection and production charges and also in the form of refunds, etc. We shall take the figures for 1906-07 under each of these heads, as this is the latest year for which complete figures are now available. In calculating these figures, which are given in English Currency, it may be noted that £ 1 is taken to be an equivalent of Rs. 15.

Heads.	Gross income.	Cost of collection, production, refund, etc., etc.	Net income.
	£	£	£
Land revenue ...	1,98,31,653	48,37,560	1,55,95,079
Tributes ...	6,00,986		
Forests ...	17,68,911	9,48,866	8,20,055
Opium ...	56,60,523	19,13,292	37,47,236
Salt ...	43,62,706	3,64,489	39,98,217
Excise ...	58,98,219	2,74,609	56,23,610
Customs ...	43,51,692	2,00,184	41,51,508
Assessed taxes ...	14,23,787	23,828	13,99,959
Provincial rates ...	22,80,577	32,180	22,48,397
Registration ...	3,79,736	1,99,431	1,80,305
Stamp ...	40,29,908	1,86,267	38,43,641
Total ...	5,05,88,703	89,80,706	4,16,07,997

15. This statement will show that the gross income of the Government of India from direct sources amounted to Rs. 75,88,30,545 out of which Rs. 13,47,10,590 was spent in the collection of taxes, production of articles, refunds, etc., leaving a net balance of Rs. 62,41,19,955.

16. In addition to these there are some other in-  
**Heads of Ex-** direct sources of income which may  
**penditure.** appropriately be called Principal  
 Heads of Expenditure, because primarily most of them  
 are the causes of Expenditure although in the end  
 some may leave a balance. The main items under  
 this head are as follows : civil administration, commer-  
 cial services, public works, debt service and mili-  
 tary service. Civil administration includes the civil  
 departments of the Government and other miscellaneous  
 civil charges. Under commercial services there are  
 the Post Office, Telegraph and Mint, and under Public  
 Works are included railways, irrigation and civil works.  
 The others do not require any explanation. The expen-  
 diture under each item in 1906-07 was as follows:—

Heads.	Gross in- come.	Gross ex- penditure.	Net in- come.	Net ex- penditure.
	£	£	£	£
Interest ...	9,79,850	19,12,141		9,32,291
Post office ...	17,51,146	16,02,933	1,48,213	
Telegraph ...	9,53,006	11,26,205		1,73,199
Mint ...	4,19,498	1,66,898	2,52,600	
Civil Departments	13,91,283	1,37,07,810		1,23,16,527
Misc. Civil Services	10,07,046	44,01,618		34,63,572
Railways ...	1,30,01,227	1,06,87,686	23,13,541	
Irrigation ...	35,38,260	27,68,705	7,69,555	
Public Works ...	5,32,640	55,57,337		50,24,697
Military Services...	14,15,153	2,15,52,637		2,01,37,484
Total ...	2,49,89,109	6,34,92,970	34,83,909	3,85,03,861



17. Thus it will be seen that the gross direct expenditure amounted to Rs. 95,24,04,550 while the income from these sources came to Rs. 37,48,36,635, leaving a net expenditure of Rs. 57,75,57,915.

18. Taking both the income and expenditure from all sources we see that the gross total income of the Government amounted to £75,577,812 (Rs. 1,13,36,67,180), out of which £72,473,676 (Rs. 1,08,71,05,140) was spent in the management of the Government business, leaving £31,04,136 (Rs. 4,65,62,040) as balance. Sometimes the Government has to meet extraordinary expenditure as in times of famine or when a war or expedition has to be undertaken. Then the surplus is not only exhausted but more money has to be borrowed for meeting these expenses. In the year 1906-07, Rs. 1,50,00,000 was spent on famine relief and insurance and Rs. 1,11,55,455 was the surplus left with the provincial Governments out of the grants made by the Imperial Government, and Rs. 34,33,515 was spent by the provincial Governments out of their own provincial balances. So that actually a net balance of Rs. 2,38,40,100 remained with the Government in the year with which we are dealing.

19. We have already explained in the last chapter how the system of guaranteed and subsidized railways was replaced by State Railways and how, under certain conditions the former were or will be acquired by the Government after the lapse of the period mentioned in the agreement. We can understand from a study of the

**Capital Expenditure.**

accounts given above that it is scarcely possible for the Government to spend crores of rupees on railways and irrigation works, yet these are very important and necessary for the expansion of commerce and for the prevention of famines. The Government, therefore, borrows money in open market at an interest of  $3\frac{1}{2}$  per cent. per annum and spends it on these works. The net earnings from railways and irrigation works far exceed the amount to be paid as interest on these debts. Such an expenditure is called Capital inasmuch as it is a kind of investment which produces an ever expanding income year after year. In 1904-05 the National Debt of the Government of India stood as follows :—

Ordinary Debt	...	...	...	7,257	lacs.
Loans at interest	...	...	...	1,803	„
Debt for construction of railways	...	...	...	13,233	„
Debt for purchase of railways...	...	...	...	5,921	„
Irrigation Debt	...	...	...	3,921	„
Total				32,135	„

20. In order to give the local Governments a Provincial strong inducement to develop their Finances. revenues and practise economy in their expenditure, to obviate the need for interference on the part of the supreme Government, and to maintain the unity of the finances in such manner that all parts of the administration may receive a due share of growing revenues to meet growing needs and may bear in due proportion the burden of financial difficulties to be encountered from time to time, the Government of India has delegated to the local Governments the control of

the expenditure on the ordinary provincial services, together with the whole or a proportion of certain heads of revenue sufficient to meet these charges. Subject to occasional exceptions, the distribution of the more important sources of revenue is as follows :—

Imperial—(Wholly)—salt, customs, opium and tributes.

—(Divided) —Land revenue, stamps, excise,  
assessed taxes, forests and registration.

Provincial—(Wholly)—Provincial rates.

21. While expenditure on the ordinary provincial services has been delegated to the local Governments, the supreme Government keeps in its own hands the bulk of the charges connected with the public debt, the army, the Indian Marine, and the central administration. The Home charges (see § 22) are also Imperial. As regards the commercial departments, transactions connected with the post office, telegraphs, mint and railways are wholly or mainly Imperial, while irrigation is divided between the two accounts. The administration of provincial finances is subject to the supervision of the supreme Government and to conditions concerning the imposition of new taxation, the creation of appointments, the alteration of scales of salaries, the maintenance of great lines of communication and so on. The provincial Governments have no borrowing powers and when they exceed their resources, the deficit is met by the Government of India.

22. In the account which we have given of the expenses of the Government of India,  
Home charges. the charges include those incurred in

England also. They are called Home charges, and include the prices of stores of all sorts, the cost of railway and war materials and tools and machinery for public works, furlough and pension allowances of civil and military officers as well as civil administration charges. The net Home charges amount to about 26 crores of rupees a year, distributed as follows :—

Railways ...	...	...	...	950	lacs.
Interest, etc.	...	...	...	410	„
Stores ...	...	...	...	260	„
Army ...	...	...	...	190	„
Marine ...	...	...	...	30	„
Civil Administration...	...	...	...	60	„
Pension, etc.	...	...	...	700	„
				----	
Total ...				2,600	

23. The first three of these items represent payment on account of capital and material supplied by England to India, the next two items represent the returns for services in the two important factors in the public defence of India, while the remaining are the charges of the Secretary of State's establishment and allowance of the officers of the civil and military departments who are retired or on leave.

## CHAPTER X.

### CONCLUSION.

1. We have now had a comparatively complete survey of the administrative machinery of the Government of India and have learnt something about the agencies which it employs to accomplish its work. But if we describe the duties and the powers of the Government, we cannot ignore the duties and privileges of the citizens over whom the Government rules. In a well-organised State all have their respective duties to perform and privileges to enjoy. We may take a lesson in this respect from our own human organism. In our body, the several organs not only have distinct and definite functions of their own but at the same time have the important duty of working for the common weal of the body. If the different organs were to perform the first and were to refuse to regulate themselves and their actions so as to provide for the general good of the body, the body would suffer and in course of time die, thus bringing about the utter destruction and ruin of all the organs. But as a matter of fact we know from personal experience that all the organs work for the body and not for themselves alone. If one organ suffers, the whole body suffers. In short, the body is dependent on the organs for its needs

Maintenance  
of Law and Order.

and the organs on their part cannot exist without the body. Thus there is complete harmony and mutual support. Similarly in a State, which consists of a body of citizens living in a country and obeying the same laws, all component parts should be so regulated that the good of the State as a whole may be the result. The maintenance of law and order is the first essential in its proper organization and working. Without these the whole machine will become disordered and will be unable to produce the results for which it is designed. It may be that certain parts of the machinery are not working properly, but they cannot be repaired and set right by wrecking the whole structure. We ought to try to find out the defect and to understand its nature, for in this way alone may we hope to remove it. But this necessitates another important qualification on the part of the citizens. A mechanic cannot work a machine properly unless he has studied its details in their entirety. Similarly the citizens must first study the details of the system of Government under which they live and consider its merits and demerits, if they are to become efficient helpers in the work of securing prosperity for the community.

2. It is hardly necessary to point out that the  
 Harmonious re- citizens of a State should be patriotic.  
 lations. They must not only work for them-  
 selves, but also for the good of the whole State and should  
 order their lives in such a manner that perfectly harmo-  
 nious relations may be established among all. Fortunately  
 under the British Government all outward causes of



disturbance have been removed, peace reigns from one end of the country to the other, and absolute protection of property and person is assured. With these important advantages secured the citizens should first aim to establish friendly relations among themselves and to live in peace and security.

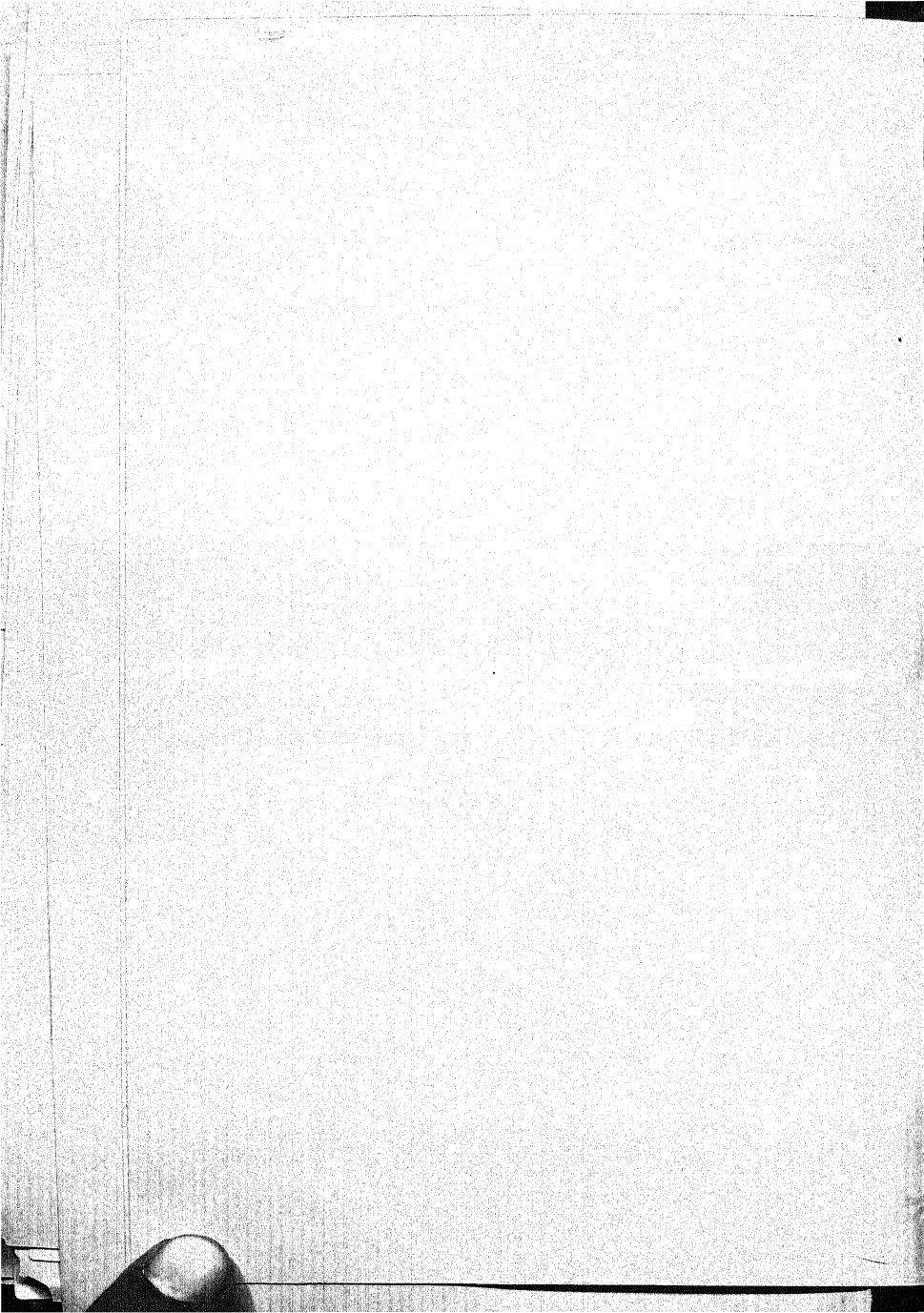
3. The next duty of the citizens will be to improve themselves. Most of the improvements of a country depend upon the quality of its citizens. Although it is true that the rulers can exert a powerful influence in moulding the character and improving the quality of the ruled, yet they cannot do much unless the people themselves are prepared to undergo the trials and troubles so necessary to fit a nation to play a noble part in the work of the world. A nation must devote its energies to the spread of suitable education among all classes of people, for education brings in its train all those advantages which enable a man to know and to understand what he is, what he should be and by what means he may improve not only himself but also those around him.

4. India is a vast country more than 18,00,000 square miles in area and inhabited by about 30,00,00,000 persons of different races, religions and languages. It enjoys great natural advantages. On the south, east and west its shores are washed by the sea and on the north the great Himalayas stand in the august glory of their snow-clad peaks, making as it were a great bulwark of natural defence. Its plains are watered by rivers which flow for hundreds

of miles, making the country fertile. Its highlands and its lowlands are peculiarly interesting in their variety of climatic conditions. Its natural resources are immense and it is rich in mines and minerals. In fact, with the exception of the productions of polar seas, there is probably nothing which India does not, or at least cannot, produce. Such is the noble heritage which the Indians possess. To keep safe the heritage and to improve it must be the sole ambition of their lives. But this cannot be done unless they study minutely the tendencies of their own times and the lines along which other nations are advancing. With that knowledge should come the energy and the will to do, and so may effort be crowned with success. The true aim of work should be "to renovate, to purify and also to perfect the whole man by liberating his intellect, elevating his standard of duty and developing to the full all his powers. Till so renovated, purified, and perfected we can never hope to be what our ancestors once were, a chosen people, to whom great tasks were allotted and by whom great deeds were performed. Where this feeling animates the worker, it is a matter of comparative indifference in what particular direction it asserts itself and in what particular method it proceeds to work. With a liberated manhood, with buoyant hope, with a faith that never shirks duty, with a sense of justice that deals fairly by all, with unclouded intellect, and powers fully cultivated, and lastly with a love that overleaps all bounds, renovated India will take her place among the nations of the world." This is the goal that

educated Indians have to reach under the protecting and fostering rule of the British. After the fall of the Hindu Kingdoms and the disruption that followed the Mohammedan rule, India needed peace and a strong protecting hand to enable her to gain strength for national progress. This the British nation is giving her, and as a result of the British policy in India for the last one hundred and fifty years, new forces, aspirations and ideals have sprung into existence, while education has broadened men's views and has led them to desire to blend that which is best of the East with that which is best of the West. But this is a matter of slow, quiet, steady, peaceful development. In the meantime, loyal co-operation on the part of Indians and liberal concessions on the part of the Government coupled with sympathetic rule by its officers, will gradually remove the difficulties which are at present inevitable in so vast a country. May India continue to shine as the brightest jewel in the Crown of a Great Empire, whose gems are the peoples and nations of many lands.

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